



**NORTHLAKE TOWN COUNCIL
REGULAR MEETING AGENDA
DECEMBER 14, 2023, AT 5:30 PM
TOWN HALL - COUNCIL CHAMBER ROOM
1500 COMMONS CIRCLE, SUITE 300, NORTHLAKE, TEXAS 76226**

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 Regular Meeting on December 14, 2023, at 5:30 PM, at the Northlake Town Hall in the Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas 76226. The items listed below are placed on the agenda for discussion and/or action. Town Councilmembers may appear virtually via video conference pursuant to Texas Government Code § 551.127. The following items will be considered:

1. CALL TO ORDER

- A. Roll Call, Invocation, Pledge of Allegiance

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

The following will be addressed:

- A. Briefing - Northlake Signage Concepts

3. PUBLIC INPUT

This item is available for citizens to address the Town Council on any matter. The presiding officer may ask the citizen to hold his or her comment on an agenda item until that agenda item is reached. By law, no deliberation or action may be taken on the topic if the topic is not posted on the agenda. The presiding officer reserves the right to impose a time limit on this portion of the agenda.

4. CONSENT ITEMS

Items listed under Consent will be enacted with one motion, one second, and one vote. Any Council member may request an item on the Consent Agenda to be taken up for Individual Consideration.

- A. Consider approval of the Town Council Meeting Minutes for November 9, November 16, and November 18, 2023
- B. Consider a Resolution of the Town of Northlake, Texas, acknowledging acceptance of and, to the extent required, ratifying, approving, and authorizing the Town Manager's acceptance of the dedication of the infrastructure improvements described in the August 3, 2021 Development Agreement with 6 McFarm, LLC (assigned to Exel Inc. d/b/a DHL Supply Chain (USA) ("Developer) on August 31, 2021 (the "Development Agreement"); authorizing the Town Manager to take any further necessary action to allow Developer to create a sales tax situs pursuant to Section 4.8(c) of the Development Agreement

5. ACTION ITEMS

The Following Items will be Considered:

- A. Consider a Resolution of the Town of Northlake, Texas, ratifying the actions taken by the Northlake Economic Development Corporation and Northlake Community Development Boards of Directors, approving a Pioneer Grant Program for Kurogi Ramen & Sushi in the amount of \$50,000
- B. Consider a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute an agreement/contract with Halff Associates, for Conceptual Design and Discharge Permitting for the third Catherine Branch Wastewater Treatment Plant Expansion, in an amount not to exceed \$78,700
- C. Consider an ordinance for a zoning change from RR – Rural Residential to I – Industrial for approximately 0.88 acres of land located on the east side of Cleveland-Gibbs Road at 12219 Cleveland-Gibbs Road. Case # 23-ZCA00004
 - i. Public Hearing
 - ii. Consider Approval
- D. Consider an Ordinance for a zoning change from RR – Rural Residential to NC – Neighborhood Commercial for approximately 2.75 acres of land located on the north side of FM 1171 at 12170 FM 1171. Case # 23-ZCA00003
 - i. Public Hearing
 - ii. Consider Approval
- E. Consider an Ordinance for a zoning change from RR – Rural Residential/CRO - Conservation Residential Overlay to RR-PD – Rural Residential Planned Development for an approximately 156.11-acre tract of land situated in the J. James Survey, Abstract No. 1501, generally located west of Faught Road between Evelyn Lane and Robson Ranch Road. Case # PD-23-006
 - i. Public Hearing
 - ii. Consider Approval
- F. Consider an Ordinance to amend Ordinance No. 17-1214A, the Mixed-Use Planned Development (MPD) zoning district applicable to approximately 1.53 acres of land in the G.W. Shamblyn Survey, Abstract No. 1191, bounded by IH 35W on the north and west, Old Elizabethtown Road on the east, and vacant land in the extraterritorial jurisdiction of the Town of Northlake on the south. Case # PD-23-007
 - i. Public Hearing
 - ii. Consider Approval
- G. Consider an Ordinance to amend the Chadwick Farms Mixed-Use Planned Development (MPD) applicable to approximately 75.879 acres of land generally located along the frontage south of State Highway 114 and east of Cleveland-Gibbs Road. Chadwick Farms, LTD is the owner/applicant/developer. Case # PD-23-005
 - i. Public Hearing
 - ii. Consider Approval
- H. Consider an Ordinance approving a Specific Use Permit (SUP) for gas drilling and production of

three additional wells, Cole Frazier 3 (AW) 3H, 4 (AW) 4H, and 5 (AW) U5H, on an existing 3.29-acre pad site, being a portion of a 133.925-acre tract of land situated in the Patrick Rock Survey, Abstract No. 1063, and located approximately 2,600 feet east of Faught Road and 2,000 feet south of Robson Ranch Road. Case # SUP-23-001

- i. Public Hearing
- ii. Consider Approval

- I. Consider a request for a meritorious exception to the window sign requirements of Article 11 of the Unified Development Code (UDC) for It's a Paw Thang located at 1236 FM 407, Suite 500. Case # 23-VBOA00003

THIS PUBLIC HEARING IS POSTPONED AND A NEW NOTICE WILL BE PUBLISHED IN ADVANCE OF THE FUTURE PUBLIC HEARING IN ACCORDANCE WITH TOWN OF NORTHLAKE, UNIFIED DEVELOPMENT CODE, ARTICLE 4 AND 11.

- i. Public Hearing
- ii. Consider Recommendation

6. EXECUTIVE SESSION

The Town Council will convene in an Executive Session, pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

A. Section 551.071 - Consultation with Attorney

The Town Council may convene in an executive session to consult with its attorney to seek 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 (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 this chapter. The Town Council may adjourn into executive session for consultation with the Town Attorney regarding:

- i. Potential annexation and development agreement of a property consisting of a 38.1-acre tract, a 20.0-acre tract of land, and a 2.8-acre tract generally located at the southeast corner of Harmonson Road and McPherson Drive in the extraterritorial jurisdiction of the Town.
- ii. Potential development agreement and annexation of a property consisting of a 156.8-acre tract of land generally located east of FM 156 and northwest of Victory Circle in the extraterritorial jurisdiction of the Town.
- iii. Potential Development Agreement and annexation of the Florance Endeavors tract on approximately 5.0 acres of land generally located on the east side of 8000 block of Florance Road in the extraterritorial jurisdiction of the Town.
- iv. Potential Development Agreement and annexation of the Revival Fire LLC tract on approximately 5.09 acres of land generally located on the east side of 8000 block of Florance Road in the extraterritorial jurisdiction of the Town.
- v. Potential Development Agreement and annexation of Lot 4, Block A, The Hills of Northlake West, approximately 2.127 acres of land generally located on the north side of 1600 block of FM 407 in the extraterritorial jurisdiction of the Town.
- vi. Potential annexation and development agreement of a property consisting of a 24.8-acre tract, a 11.9-acre tract, and a 1.8-acre tract of land generally located at the northwest corner of FM 156 and Timberbrook Pkwy in the extraterritorial jurisdiction of the Town.

- vii. Potential annexation and development agreement for property consisting of a 3.7-acre tract, a 3.2-acre tract, and a 5.0-acre tract of land generally located at the northeast corner of SH 114 and Dale Earnhardt Way in the extraterritorial jurisdiction of the Town.
- viii. Potential annexation and development agreement for property consisting of 1.8-acre tract, a 2.9-acre tract, a 1.5-acre, and a 6.0-acre tract of land generally located at the northwest corner of Florance Rd and Linnie Bell Rd in the extraterritorial jurisdiction of the Town.
- ix. Decertification of water and sewer Certificates of Convenience and Necessity in the Extraterritorial Jurisdiction and impacted service requests.
- x. Assessment of road fees in the extraterritorial jurisdiction of the Town.
- xi. Financial responsibility of offsite improvements related to Catherine Branch Wastewater Treatment Plant.
- xii. Lease agreement with DSE Hockey Centers, L.P.
- xiii. Developer agreement with Chadwick Farms, Ltd.
- xiv. Potential annexation and development agreement for the Oneta Lee Cope Revocable Trust tracts consisting of a 69.0-acre, 0.8-acre, 1.5-acre, 3.9-acre, 4.0-acre, and 1.0-acre tracts of land generally located at the northwest corner of Sam Reynolds Rd. and FM 156 in the extraterritorial jurisdiction of the Town.

7. RECONVENE INTO OPEN SESSION

The Town Council will reconvene into Open Session for possible action resulting from any items posted and legally discussed or deliberated in Executive Session.

- A. Lease agreement with DSE Hockey Centers, L.P.
- B. Developer agreement with Chadwick Farms, Ltd.
- C. Potential Development Agreement and annexation of the Florance Endeavors and Revival Fire LLC tracts on approximately 5.0 acres and 5.1 acres of land generally located on the east side of 8000 block of Florance Road in the extraterritorial jurisdiction of the Town.
- D. Potential annexation and development agreement for property consisting of a 3.7-acre tract, a 3.2-acre tract, and a 5.0-acre tract of land generally located at the northeast corner of SH 114 and Dale Earnhardt Way in the extraterritorial jurisdiction of the Town.
- E. Potential annexation and development agreement for the Oneta Lee Cope Revocable Trust tracts consisting of a 69.0-acre, 0.8-acre, 1.5-acre, 3.9-acre, 4.0-acre, and 1.0-acre tracts of land generally located at the northwest corner of Sam Reynolds Rd. and FM 156 in the extraterritorial jurisdiction of the Town.
- F. Potential annexation and development agreement of a property consisting of a 38.1-acre tract, a 20.0-acre tract of land, and a 2.8-acre tract generally located at the southeast corner of Harmonson Road and McPherson Drive in the extraterritorial jurisdiction of the Town.

8. ADJOURN

With no further items to consider, the meeting will be adjourned.

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); 551.076 (Deliberations about Security Devices); 551.087(Economic Development Negotiations).

CERTIFICATION

I, Zolaina R. Parker, Town Secretary for the Town of Northlake, Texas, hereby certify that the above agenda was posted on the official bulletin board located at Town Hall, 1500 Commons Circle, Suite 300, Northlake, Texas 76226, on December 8, 2023, by 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Zolaina R. Parker
Zolaina R. Parker, Town Secretary

NOTICE: THE TOWN OF NORTHLAKE'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT(ADA). THE TOWN WILL PROVIDE ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE TOWN SECRETARY'S OFFICE AT 940-242-5702 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD), BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATIONS CAN BE ARRANGED.

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

Section: 1. CALL TO ORDER

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

Section: 2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023
REF. DOC.: Town of Northlake 2022 Strategic Plan
SUBJECT: Briefing - Northlake Signage Concepts
GOALS/ Define Future Amenities/Define and identify "iconic" amenities
OBJECTIVES:

BACKGROUND INFORMATION:

- 2022 Strategic Plan identified monumentation and entryway features as objective
- Project assigned to Halff
 - Locations were selected for placement of monumentation
 - Feedback on designs resulted in a ranking of semifinal concepts
- RQAW design firm selected to refine artwork concepts
 - Current options provided for Council consideration
 - Town Staff requests feedback to shape final concepts

COUNCIL ACTION/DIRECTION:

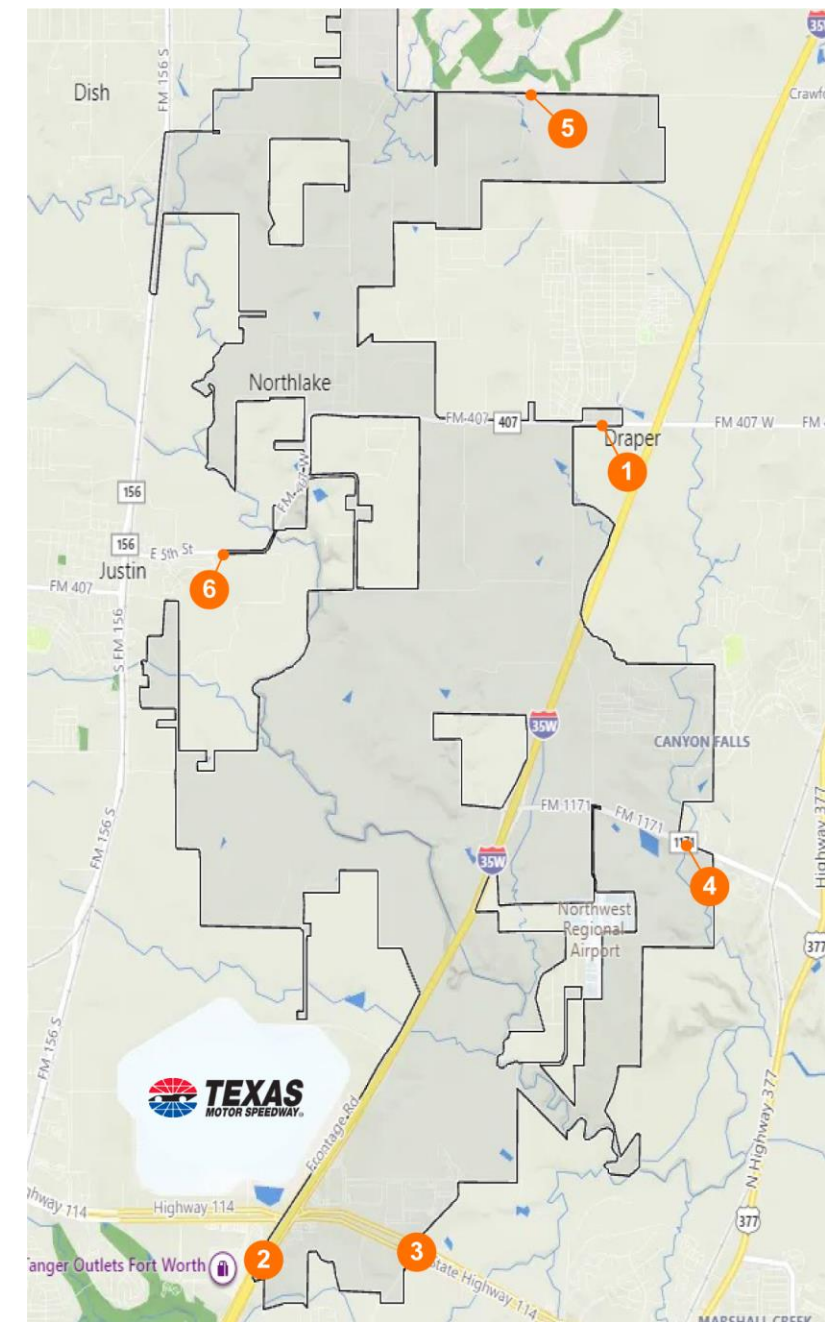
Provide input to guide final monumentation concepts



Marketing & Communications

ENTRY MONUMENT LOCATIONS

- 1 Northside of Westbound FM 407, East of Harvest Way
- 2 Northbound IH 35 & Thrown Rod Ln.
- 3 SH 114 West Bound at Corner of Dale Earnhardt Blvd. & Cleveland Gibbs Rd.
- 4 FM 1171/Cross Timbers Rd. & Graham Branch Creek
- 5 Future Cleveland Gibbs Road at Ed. Robson Blvd.
- 6 FM 407, near 5th St.





NORTHLAKE









NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

Section: 3. PUBLIC INPUT

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

Section: 4. CONSENT ITEMS

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023
REF. DOC.: Northlake Home Rule Charter
SUBJECT: Consider approval of the Town Council Meeting Minutes for November 9, November 16, and November 18, 2023
**GOALS/
OBJECTIVES:** Define Future Amenities/Prioritize Town-provided services

BACKGROUND INFORMATION:

- Approve Minutes Draft for the following:
 - November 9, 2023 - Regular Meeting
 - November 16, 2023 - Special Meeting (Canvass)
 - November 18, 2023 - Special Meeting (Strategic Planning)

COUNCIL ACTION/DIRECTION:

Approve Minutes Draft as presented



**NORTHLAKE TOWN COUNCIL
REGULAR MEETING MINUTES
TOWN HALL - COUNCIL CHAMBER ROOM
1500 COMMONS CIRCLE, SUITE 300, NORTHLAKE, TEXAS 76226
NOVEMBER 9, 2023**

The Northlake Town Council convened in a Regular Meeting on November 9, 2023, at 5:30 p.m., in the Northlake Town Hall – Council Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas.

1. CALL TO ORDER

A. Mayor Rettig called the meeting to order at 5:30 p.m., and a quorum was present as follows:

- Roll Call:

David Rettig, Mayor
Robert Keeker, Place 1
Michael Ganz, Place 2
Brian Montini, Mayor Pro Tem, Place 3

Roger Sessions, Place 4
Maryl Lorencz, Place 5
Aaron Fowler, Place 6 - Absent with Notice

Also present were Drew Corn, Town Manager, and Ashley Dierker, Town Attorney.

- Invocation was given by Pastor Justin Paulk, Fellowship of the Parks Church.
- The Pledge of Allegiance to the United States and Texas Flags was recited.

2. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Announcement - Promotion of Sergeant Micah Hayman

The oath and presentation of promotion was administered and presented to Sergeant Micah Hayman, by Robert Crawford, Chief of Police.

B. Proclamation - Veterans Day - November 11, 2023

The Proclamation was presented by Mayor Rettig, and commentary followed.

The item was for presentation purposes only.

C. Proclamation - Municipal Courts Week - November 6-10, 2023

The Proclamation was presented by Mayor Rettig.

The item was for presentation purposes only.

D. Briefing - Fiscal Year 2023 Fourth Quarter Investment and Financial Reports (Jul - Sep 2023)

The item was presented by John Zagurski, Finance Director, and commentary followed.

The item was for presentation and informational purposes only.

E. Briefing - TextMyGov Service Update

The item was presented by Chance Willeford, Administration Services Director, and commentary followed.

The item was for presentation and informational purposes only.

3. PUBLIC INPUT

The following individuals shared comments as allowed under the Public Input portion of the agenda. All comments may be viewed in their entirety on the Town's Website at <https://www.town.northlake.tx.us/337/Watch-Council-Meetings>.

- None.

4. CONSENT ITEMS

The Consent Agenda consisted of Item 4.A. - 4.B., and Mayor Pro Tem Montini pulled item 4.A. for Individual Consideration.

Mayor Pro Tem Montini moved to approve the Consent Agenda, now consisting of Item 4.B. Motion seconded by Mayor Rettig. Motion carried.

AYES (6): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz

NAYS (0): None

ABSENT (1): Fowler

- B. Consider an Ordinance of the Town of Northlake, Texas, providing for abandonment and release of a public utility easement across Lot 2 and Lot 3, Valley View Acres as recorded in Cabinet H, Page 262, Plat Records of Denton County, Texas, to the land owner as their interest may appear, for the reason that such easement represents a surplus easement for which no public necessity presently exists and for which no public necessity is anticipated to exist in the future. Curtis Kidwill is the owner/applicant.

APPROVED ORDINANCE NO. 23-1109A

INDIVIDUAL CONSIDERATION

- A. Consider approval of the Town Council Meeting Minutes for October 12, 2023**

APPROVED

Mayor Pro Tem Montini moved to approve the minutes as amended. Motion seconded by Councilmember Sessions. Motion carried.

AYES (6): Rettig, Montini, Keeker, Ganz, Sessions, Lorencz
NAYS (0): None
ABSENT (1): Fowler

5. ACTION ITEMS

- A. Consider a Resolution of the Town of Northlake, Texas, approving an appeal of the applicability and value of roadway impact fees to be assessed for a Church proposed at 7896 Evelyn Lane
NOT APPROVED/DENIED

The item was presented, and discussion followed.

The following came forward to speak:

- John Gonzalez, address on file - direct neighbor, concerned about traffic; lighting; moved for peace and quiet; 3 miles radius 6 churches; safety with road and traffic and accidents; mailbox ran-over; precedent; need time to review
- Chris Bojorquez, address on file - direct neighbor; concerned with traffic; speed limit; 18 wheelers; increase on traffic on Wed- Sun; events always going on; area not ready for this kind of traffic; afraid for kids life while in front yard; additional money would be lost; more upkeep that can currently be handled
- Suan Boryca, address on file - safety; upkeep of road; dangerous intersection; entrance not wide on Robson; not a good place, \$20,000 to stripe
- Gary Grant, address on file - met with church on Monday; architect advised 17,000 sq ft, everything under roof; expecting 250-500 for services; 125 cars on average; 14% of what they are asking for; no economic advantage for Town; it is a business; request appeal to be denied; support Town Manager in decision
- Rena Hardeman, address on file - not fan of subsidy; level playing field; road impact fee; 17,000 sqft under roof; 220 car passes per service; 181 feet at curve with no turn lane; 30 ft building at peak; offset 30ft from structure; corrugated tin; no percentage; lights 18ft high; churches are good for community; will have events and leasing; offered alternative spaces; need to build 4 lane with dedicated turn
- Joel McGregor, address on file - no way to not have lights bleed over; anything that goes in will have lights; neighbors can pitch in to buy property and keep it empty; nothing in there will generate less traffic; pay fair share
- Deborah Walls, address on file - real-estate representing church; impact fees are very excessive compared to surrounding areas; Justin is lower;
- Teresa Perry, address on file - concerned with safety; everything happens on the road every single day

Councilmember Ganz moved to deny the appeal as presented. Motion seconded by Councilmember Sessions. Motion passed.

AYES (6): Keeker, Ganz, Montini, Sessions, Lorencz, Rettig
NAYS (0): None
ABSENT (1): Fowler

- B. Consider a Resolution of the Town of Northlake, Texas, to cast Northlake's votes for a member or members of the Board of Directors of the Denton Central Appraisal District
APPROVED RESOLUTION NO. 23-70

The item was presented, and discussion followed.

Mayor Rettig moved to cast votes for Ann Pomykal and Alex Buck. Motion seconded by Mayor Pro Tem Montini. Motion passed.

AYES (6): Keeker, Ganz, Montini, Sessions, Lorencz, Rettig

NAYS (0): None

ABSENT (1): Fowler

- C. Consider a Resolution of the Town of Northlake, Texas authorizing the Town Manager to enter into an interlocal agreement with the Belmont Freshwater Supply District No. 1 for Police Services, to be effective commencing February 1, 2024 and ending October 2, 2027

APPROVED RESOLUTION NO. 23-71

The item was presented, and discussion followed.

Mayor Pro Tem Montini moved to approve the item as presented. Motion seconded by Mayor Rettig. Motion passed.

AYES (5): Keeker, Montini, Sessions, Lorencz, Rettig

NAYS (1): Ganz

ABSENT (1): Fowler

- D. Consider an Ordinance of the Town of Northlake, Texas, amending Section 3.4, Board of Adjustment, of Article 3, Boards and Commissions, of the Unified Development Code (UDC) Case # UDC-23-002

i. Public Hearing

ii. Consider approval

NOT APPROVED/DENIED

The item was presented and discussion followed.

Mayor Rettig opened the public hearing at 7:24 p.m. with the following speaker coming forward:

- Rena Hardeman, address on file - bi-monthly meetings; members should commit to positions

Mayor Rettig closed the public hearing at 7:25 p.m., with no further speakers coming forward.

Mayor Pro Tem Montini moved to deny the item as presented. Motion seconded by Councilmember Lorencz. Motion passed.

AYES (5): Keeker, Ganz, Montini, Lorencz, Rettig

NAYS (1): Sessions

ABSENT (1): Fowler

- E. Consider an Ordinance of the Town of Northlake, Texas, amending Chapter 5 “Business Regulations” of the Code of Ordinances, Town of Northlake, Texas by creating a new Article 5.11 “Short-term Rentals,” to define and govern the standards and requirements for short-term rentals

i. Public Hearing

ii. Consider approval

APPROVED ORDINANCE NO. 23-1109B

The item was presented, and discussion followed.

Mayor Rettig opened the public hearing at 7:42 p.m. with the following speaker coming forward:

- Joel McGregor, address on file - subject to HOT Tax; huge overreach; complication; apply to businesses (corporations); Lewisville going through this - what will be inspected
- Rena Hardeman, address on file - consideration given to impact of neighborhood; larger land owners RR and RE, less impact on surrounding neighborhoods, HOT Tax is wrong; meant for promotion

Mayor Rettig closed the public hearing at 7:51 p.m., with no further speakers coming forward.

Councilmember Sessions moved to approve the item as presented. Motion seconded by Mayor Pro Tem Montini. Motion passed.

AYES (4): Keeker, Montini, Sessions, Lorencz

NAYS (2): Ganz, Rettig

ABSENT (1): Fowler

- F. Consider an Ordinance of the Town of Northlake, Texas, amending Chapter 4 “Building Regulations” of the Code of Ordinances, Town of Northlake, Texas by creating a new Article 4.07 “Single-family and Multi-family Rental Housing,” to provide for the regulation, inspection, and permitting of rentals for single-family and multi-family dwellings

APPROVED ORDINANCE NO. 23-1109C

The item was presented, and discussion followed.

Councilmember Sessions moved to approve the item as presented, with the updates addressed regarding sections 5 and 6. Motion seconded by Councilmember Lorencz. Motion passed.

AYES (5): Keeker, Montini, Sessions, Lorencz, Rettig

NAYS (1): Ganz

ABSENT (1): Fowler

- G. Consider an Ordinance of the Town Council of the Town of Northlake, Texas, amending Chapter 5 “Business Regulations” of the Code of Ordinances, Town of Northlake, Texas by creating a new Article 5.12 “Hotels and Motels,” to provide for the regulation, inspection, and permitting of hotels and motels

APPROVED ORDINANCE NO. 23-1109D

The item was presented, and discussion followed.

Councilmember Sessions moved to Approve the item as presented. Motion seconded by Councilmember Keeker. Motion passed.

AYES (6): Keeker, Ganz, Montini, Sessions, Lorencz, Rettig
NAYS (0): None
ABSENT (1): Fowler

- H. Consider a Resolution of the Town of Northlake, Texas, authorizing the Town Manager to enter into an interlocal cooperative purchasing agreement with the City of Grand Prairie, Texas in the purchasing of equipment, supplies, and services
APPROVED RESOLUTION NO. 23-72

The item was presented, and discussion followed.

Mayor Rettig moved to approve the item as presented. Motion seconded by Mayor Pro Tem Montini. Motion passed.

AYES (6): Keeker, Ganz, Montini, Sessions, Lorencz, Rettig
NAYS (0): None
ABSENT (1): Fowler

- I. Consider a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute a contract with Stripe-A-Zone, for pavement marking on Canyon Falls Drive, in an amount not to exceed \$28,631.42
APPROVED RESOLUTION NO. 23-73

The item was presented, and discussion followed.

Mayor Pro Tem Montini moved to approve the item as presented. Motion seconded by Mayor Rettig. Motion Passed.

AYES (6): Keeker, Ganz, Montini, Sessions, Lorencz, Rettig
NAYS (0): None
ABSENT (1): Fowler

- J. Consider a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute a contract with Stripe-A-Zone, for pavement marking on Robson Ranch Road, in an amount not to exceed \$21,896.16
APPROVED RESOLUTION NO. 23-74

The item was presented, and discussion followed.

Mayor Rettig moved to approve the item as presented. Motion seconded by Mayor Pro Tem Montini. Motion Passed.

AYES (6): Keeker, Ganz, Montini, Sessions, Lorencz, Rettig
NAYS (0): None
ABSENT (1): Fowler

6. EXECUTIVE SESSION

The Town Council convened into an Executive Session at 8:14 p.m., consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law to address the following:

A. Section 551.071 - Consultation with Attorney

- i. Potential annexation and development agreement of a property consisting of a 38.1-acre tract, a 20.0-acre tract of land, and a 2.8-acre tract generally located at the southeast corner of Harmonson Road and McPherson Drive in the extraterritorial jurisdiction of the Town.
- ii. Potential development agreement and annexation of a property consisting of a 156.8-acre tract of land generally located east of FM 156 and northwest of Victory Circle in the extraterritorial jurisdiction of the Town.
- iii. Potential annexation and development agreement of a property consisting of a 24.8-acre tract, a 11.9-acre tract, and a 1.8-acre tract of land generally located at the northwest corner of FM 156 and Timberbrook Pkwy in the extraterritorial jurisdiction of the Town.
- iv. Potential annexation and development agreement for property consisting of a 3.7-acre tract, a 3.2-acre tract, and a 5.0-acre tract of land generally located at the northeast corner of SH 114 and Dale Earnhardt Way in the extraterritorial jurisdiction of the Town.
- v. Potential mediation between parties related to complaint filed with Public Utility Commission Docket No. 54243.
- vi. Potential amendment to April 29, 2021, settlement agreement with City of Justin.
- vii. Decertification of water and sewer Certificates of Convenience and Necessity in the Extraterritorial Jurisdiction and impacted service requests.
- viii. Consideration of opting out of polyfluoroalkyl substance (PFAS) settlement with DuPont, Chemours, Corteva, and 3M.
- ix. Lease agreement with DSE Hockey Centers, L.P.
- x. Developer agreement with Chadwick Farms, Ltd.
- xi. Discuss strategy and advice for enforcement of building code violations at 3400 Knights Ct.

B. Section 551.072 - Real Property

The Town Council may convene in an executive session to discuss or deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- i. Regarding purchase, exchange, lease of value of real property to be acquired as right-of-way out of a parent tract of 3.1 acres at the north side of Old Justin Rd. at Harvest Way.
- ii. Regarding purchase, exchange, lease of value of real property to be acquired as sports venue site out of a parent tract of 41.0 acres at the southwest corner of SH 114 and Chadwick Pkwy.

7. RECONVENE INTO OPEN SESSION

Mayor Rettig reconvened the Regular Meeting at 9:23 p.m., to address any Council action regarding the items deliberated during Executive Session.

The following action resulted from deliberations during Executive Session:

A. Lease agreement with DSE Hockey Centers, L.P.

No action taken.

B. Developer agreement with Chadwick Farms, Ltd.

No action taken.

6.A. viii. Consideration of opting out of polyfluoroalkyl substance (PFAS) settlement with DuPont, Chemours, Corteva, and 3M.

Mayor Rettig moved to approve opting out of the settlement, authorize staff to file any needed documentation, and pursue an outcome as deliberated. Motion seconded by Mayor Pro Tem Montini. Motion passed.

AYES (6): Keeker, Ganz, Montini, Sessions, Lorencz, Rettig

NAYS (0): None

ABSENT (1): Fowler

8. ADJOURN

With no further business, Mayor Rettig adjourned the meeting at 9:25 p.m.

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

MINUTES APPROVED ON: _____



**NORTHLAKE TOWN COUNCIL
SPECIAL MEETING MINUTES
TOWN HALL COUNCIL CHAMBER ROOM
1500 COMMONS CIRCLE, SUITE 300
NOVEMBER 16, 2023**

The Northlake Town Council convened in a Special Meeting on November 16, 2023, at 10:30 a.m., in the Northlake Town Hall – Council Chamber Room, 1500 Commons Circle, Suite 300, Northlake, Texas.

1. CALL TO ORDER

- A. Mayor Pro Tem Montini called the meeting to order at 10:30 a.m., and a quorum of at least two Councilmembers, as required for canvassing the election, was present as follows:

- Roll Call:

David Rettig, Mayor - Absent with Notice
Robert Keeker, Place 1 - Absent with Notice
Michael Ganz, Place 2 - Absent with Notice
Brian Montini, Mayor Pro Tem, Place 3

Roger Sessions, Place 4 - Absent with Notice
Maryl Lorencz, Place 5
Aaron Fowler, Place 6

Also present were Drew Corn, Town Manager, and Zolaina Parker, Town Secretary.

2. ACTION ITEMS

- A. Consider a Resolution of the Town of Northlake, Texas, canvassing the returns and declaring the results of the Bond Election held on November 7, 2023, in the Town of Northlake, Texas

APPROVED RESOLUTION NO. 23-75

Mayor Pro Tem Montini read the official canvassed returns as provided by Denton County Elections Administration as follows:

- 786 VOTES FOR
- 436 VOTES AGAINST
- 1222 CAST VOTES WITH A TOTAL OF 1236 BALLOTS CAST
WHICH INCLUDED:
 - 13 UNDER VOTES AND 1 OVER VOTE

Mayor Pro Tem Montini moved to approve the canvass as presented by Denton County Elections Administration. Motion seconded by Councilmember Lorencz. Motion carried.

AYES (3): Montini, Lorencz, Fowler

NAYS (0): None

ABSENT (4): Rettig, Keeker, Ganz, Sessions

3. ADJOURN

With no further business, Mayor Pro Tem Montini adjourned the meeting at 10:34 a.m.

Brian Montini, Mayor Pro Tem

Attest:

Zolaina R. Parker, Town Secretary

MINUTES APPROVED ON: _____



**NORTHLAKE TOWN COUNCIL
SPECIAL MEETING MINUTES
NORTHWEST INDEPENDENT SCHOOL DISTRICT – OUTDOOR LEARNING CENTER
7773 MULKEY LANE, NORTHLAKE, TEXAS 76247
NOVEMBER 18, 2023**

The Northlake Town Council convened in a Special Meeting on November 18, 2023, at 9:00 a.m., in the Northwest Independent School District – Outdoor Learning Center, 7773 Mulkey Lane, Northlake, Texas.

1. STRATEGIC PLANNING SESSION

A. Mayor Rettig called the Strategic Planning Session to order at 9:00 a.m., and a quorum was present as follows:

- Roll Call:

David Rettig, Mayor	Roger Sessions, Place 4
Robert Keecker, Place 1 - Absent with Notice	Maryl Lorencz, Place 5
Michael Ganz, Place 2	Aaron Fowler, Place 6
Brian Montini, Mayor Pro Tem, Place 3	

Also present were:

Drew Corn, Town Manager	Nathan Reddin, Director of Development Services
Zolaina Parker, Town Secretary	Eric Tamayo, Director of Public Works
Robert Crawford, Chief of Police	Chance Willeford, Director of Administrative Services
John Zagurski, Director of Finance	Leann Oliver, Municipal Court Administrator
Ron Cox, Facilitator	Nathan Reddin, Director of Development Services

- Discuss and address goals and objectives, council vision, strategic planning, and review strategies, updates, needs and projects for the Town of Northlake

The items were deliberated and discussed and no formal action was taken.

2. ADJOURN

With no further business, Mayor Rettig adjourned the Strategic Planning Session at 3:07 p.m.

David Rettig, Mayor

Attest:

Zolaina R. Parker, Town Secretary

MINUTES APPROVED ON: _____

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Development Agreement for project

SUBJECT: Consider a Resolution of the Town of Northlake, Texas, acknowledging acceptance of and, to the extent required, ratifying, approving, and authorizing the Town Manager's acceptance of the dedication of the infrastructure improvements described in the August 3, 2021 Development Agreement with 6 McFarm, LLC (assigned to Exel Inc. d/b/a DHL Supply Chain (USA) ("Developer) on August 31, 2021 (the "Development Agreement"); authorizing the Town Manager to take any further necessary action to allow Developer to create a sales tax situs pursuant to Section 4.8(c) of the Development Agreement

GOALS/ OBJECTIVES: Invest in Infrastructure/Continue to leverage infrastructure upsizing opportunities

BACKGROUND INFORMATION:

- DHL Supply Chain (USA) plans to develop Northlake Logistics Center
 - 251 acres on east side of Harmonson Road at 10677 Harmonson Road
 - Approximately 3 million square feet of warehouse space
- Development agreement approved with 6 McFarm LLC and assigned to DHL in 2021
 - Provides for developer construction of public infrastructure improvements to serve development
 - Includes roadways, water, and sewer per Town's standards and master plans
 - Expenditures for public improvements eligible for sales tax exemption
 - Acceptance and dedication of public improvements by governing body necessary
 - Resolution proposed to memorialize acceptance of improvements when constructed and dedicated

COUNCIL ACTION/DIRECTION:

Consider approval of Resolution to accept public improvements from DHL Supply Chain (USA)



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS ACKNOWLEDGING ACCEPTANCE OF AND, TO THE EXTENT REQUIRED, RATIFYING, APPROVING, AND AUTHORIZING THE TOWN MANAGER'S ACCEPTANCE OF THE DEDICATION OF THE INFRASTRUCTURE IMPROVEMENTS DESCRIBED IN THE AUGUST 3, 2021 DEVELOPMENT AGREEMENT AMONG THE TOWN OF NORTHLAKE, TEXAS, THE NORTHLAKE ECONOMIC DEVELOPMENT CORPORATION, THE NORTHLAKE COMMUNITY DEVELOPMENT CORPORATION, AND 6 MCFARM, LLC (ASSIGNED TO EXEL INC. D/B/A DHL SUPPLY CHAIN (USA) ("DEVELOPER") ON AUGUST 31, 2021) (THE "DEVELOPMENT AGREEMENT"); AUTHORIZING THE TOWN MANAGER TO TAKE ANY FURTHER NECESSARY ACTION TO ALLOW DEVELOPER TO CREATE A SALES TAX SITUS PURSUANT TO SECTION 4.8(C) OF THE DEVELOPMENT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on December 10, 2020, the Town Council unanimously approved Ordinance No. 20-1210E amending the comprehensive plan to change the land use designation on a certain 251.044 acres of land then owned by 6 McFarm LLC to BP-Business Park and the zoning of that property to I-Industrial; and

WHEREAS, on July 22, 2021, the Town Council approved Ordinance 21-0722F, changing the zoning to I-PD – Industrial Planned Development for the approximately 251 acre tract of land located on the east side of Harmonson Road and then owned by 6 McFarm LLC pursuant to case # PD 21-004 (the "Property"); and

WHEREAS, on August 3, 2021 (recorded August 11, 2021), the Town entered into the Development Agreement governing the Property, which includes in section 4.3, for Developer construction of various infrastructure improvements to be accepted by and dedicated to the Town (the "Infrastructure Improvements"), with the Town agreeing to take ownership of such improvements upon completion thereof; and

WHEREAS, the Town, on November 28, 2023 approved the preliminary plat governing the Property and thereby accepted the dedication of the Infrastructure Improvements and the easements and rights-of-way as shown on the preliminary plat and the Town Manager, on November 30, 2023 acknowledged and accepted the Infrastructure Improvements; and

WHEREAS, to the extent required, the Developer hereby irrevocably dedicates to the Town the Infrastructure Improvements the Developer is required to construct under the Development Agreement, as more particularly illustrated inside of the easements and right-of-way in the "Plans for

Extension of McPherson Road” consisting of 97 sheets and signed and stamped as of 11/06/2023, and the “DHL Northlake Mass Grading” plans consisting of 24 sheets also signed and stamped as of 11/06/2023, both as prepared by Kimley Horn, the design consultant for Developer and as shown on the preliminary plat. All infrastructure improvements outside of easements and right-of-way shown on the aforementioned plans will be private and not dedicated to the Town; and

WHEREAS, the Town Council of the Town of Northlake, Texas, has determined that a public need and necessity exists for the Town to accept the dedication of the Infrastructure Improvements, and when completed in accordance with the Development Agreement take ownership of such improvements; and

WHEREAS, the Town Council has determined that it is advisable and in the best interest of the Town to accept the dedication of the Infrastructure Improvements, to ratify the Town Manager’s acceptance of the Infrastructure Improvements, and to the extent required, authorize the Town Manager to accept the further dedication of the Infrastructure Improvements as necessary.

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

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. That the Town Council acknowledges the dedication and acceptance of the Infrastructure Improvements and the easements and rights-of-way as shown on the preliminary plat approved on November 28, 2023 and, to the extent required, hereby authorizes the Town Manager to accept the dedication of the Infrastructure Improvements and, when completed in accordance with the Development Agreement, accept ownership thereof.

Section 3. The Town agrees that the Infrastructure Improvements are being paid for by the Developer and not by public funds, and therefore Chapter 2258 of Title 10 of the Texas Government Code does not apply (see Government Code Section 2258.002), and the Town further agrees that no other public procurement requirements are applicable to the construction of the Infrastructure Improvements.

Section 4. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

Section: 5. ACTION ITEMS

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023
REF. DOC.: Pioneer Grant Program
SUBJECT: Consider a Resolution of the Town of Northlake, Texas, ratifying the actions taken by the Northlake Economic Development Corporation and Northlake Community Development Boards of Directors, approving a Pioneer Grant Program for Kurogi Ramen & Sushi in the amount of \$50,000

GOALS/ OBJECTIVES: Exercise Fiscal Responsibility/Build a robust commercial sales tax revenue base

BACKGROUND INFORMATION:

- Pioneer Grant Program (PGP)
 1. Authorized by EDC & CDC on November 17, 2011
 2. Purpose is to spur initial development of retail, restaurant, and service businesses
 3. Rewards first movers as businesses did not want to be first to unproven market
 - Provides greater incentives to “pioneer” businesses
 - First business of each category gets more than the second and so on
 4. Attached flier provides details on the program as well as funding guidelines
 - Grant is provided in the form of a 5-year forgivable loan
 - Funding guidelines generally based upon expected taxable sales
 - Payback in sales taxes to EDC/CDC expected in 5-10 years
 - Funding not provided to the business until the Certificate of Occupancy (CO) is issued
 - Funding split between EDC & CDC which each pay for 50% of the grant

Approved PGP incentives:

Year	Business Name	Grant Amount	Category
2015	Rosa's Café	\$150,000	1 st limited service restaurant plus bonus for 1 st overall
2016	Sonic	\$62,500	2 nd limited service restaurant plus bonus for 2 nd overall
2017	IHOP	\$150,000	1 st full-service restaurant
2018	BurgerIM	\$25,000	3 rd limited service restaurant
2018	Amano Italian Bistro	\$100,000	2 nd full-service restaurant
2019	Bella Italia Bistro	\$50,000	3 rd full-service restaurant
2019	Texas Roadhouse	\$50,000 plus \$200,000 est. reimbursement	Restaurant but not part of PGP
2020	PostNet	\$25,000	1 st small general retail & service

2021	Tea Xetera	\$25,000	1 st snack & beverage shop
2022	S.A.S. Boutique	\$20,000	2 nd small general retail & service

PIONEER GRANT PROGRAM APPLICATION FOR CONSIDERATION:

- Project Information
 1. Business name – Kurogi Ramen & Sushi
 2. Business type – Restaurant (full-service restaurant)
 3. Location – Harvest Neighborhood Shops at 1248 FM 207 (NE corner of 407 & C-G Rd)
 4. Size – 1,262 square feet of lease space to be finished out
- Expected Economic Impact
 1. Employment
 - 7 full time employees (all salaries greater than \$50,000)
 2. Annual sales tax receipts to EDC/CDC
 - \$7,500
 - Based on estimated \$1M taxable sales annually
- Grant request
 1. \$50,000 total (\$25,000 each paid by EDC & CDC)

ANALYSIS OF PIONEER GRANT REQUEST:

- Per current guidelines, full-service restaurant category funding is expended.
- Approximate 6.5-year payback period anticipated from sales tax generation.
- Meets PGP guideline of “pioneer” business; first of its kind in Northlake.
- Meets priorities of Retail Recruitment Strategy
 1. Specialty/unique
 2. Small restaurant

EDC/CDC ACTIONS:

- November 16, 2023 Joint Meeting
 - Held public hearing with no comments received for or against the incentive
 - EDC & CDC Boards approved a Pioneer Grant Program incentive totaling \$50,000 with terms as outlined in the attached performance agreement

COUNCIL ACTION/DIRECTION:

- Approve Resolution ratifying the approval of the Pioneer Grant as approved by the EDC & CDC
- Disapprove Resolution and provide guidance to EDC & CDC for their reconsideration



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, APPROVING A PIONEER PROGRAM GRANT IN THE AMOUNT OF \$50,000 FOR KUROGI RAMEN & SUSHI RESTAURANT AND AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PERFORMANCE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town Council on December 11, 2014 approved Resolution No. 14-32 adopting an Incentives Policy for the Town as amended, which: (1) established certain guidelines and criteria for the use of Town incentive programs for private development projects; and (2) authorized the establishment of programs for making loans and grants of Type A and Type B economic development sales tax funds to promote local economic development and to stimulate business and commercial activity in the Town of Northlake pursuant to the Development Corporation Act, codified in Chapters 501-505 of the Texas Local Government Code; and

WHEREAS, the Town of Northlake, Texas, an incorporated municipality of Denton County, Texas, the Northlake Economic Development Corporation (the "EDC") and the Northlake Community Development Corporation (the "CDC") (the Town of Northlake, together with the EDC and CDC, the "Town") has established the Pioneer Grant Program pursuant to the Policy to promote the development of retail, restaurant, and service businesses in the Town of Northlake; and

WHEREAS, Kurogi Ramen & Sushi Restaurant (the "Grantee") has submitted an application to receive a Pioneer Grant for the development of the Kurogi Ramen & Sushi Restaurant; and

WHEREAS, the Town has reviewed the application and is willing to provide Grant funds for the use of the Grantee, pursuant to a performance agreement; and

WHEREAS, the EDC and CDC boards of directors approved a grant in the total amount of \$50,000 (payment to be split evenly between the EDC and CDC) as a project that will promote new business development at a joint board meeting on November 16, 2023.

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

Section 1. All of the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Town Council hereby authorizes the Town Manager to enter into a performance agreement with Grantee for a grant payment not to exceed \$50,000.

Section 3. This resolution is effective immediately upon passage.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary



PIONEER GRANT PROGRAM (PGP) APPLICATION

Form revised 1/31/2019

PROJECT INFORMATION

Project Name: _____

PGP Incentive Category Requested: _____

APPLICANT INFORMATION

Business Name: Kurogi Ramen & Sushi Contact Name/Title: Ryan LiAddress: 2001 E Highway 114, Ste 190 City/State/ZIP: Trophy Club, TX 76262Phone: 917-293-4227 Fax: _____Email: Kurogi2023@gmail.com

Signature: _____ DocuSigned by: _____ Date: 8/3/2023 | 6:59:42 CDT

3BDFAA10135743C...

ADDITIONAL INFORMATION

Provide the following additional information to submit with this application:

1. Project Description
 - 1.1. Proposed use(s) Japanese Restaurant
 - 1.2. Proposed location 1248 FM 407, #100, Northlake, TX 76226
2. Facility Description
 - 2.1. Facility description (e.g. finish-out space in multi-tenant retail center, stand-alone building(s) on pad site, etc.)
 - 2.2. Size of facility (e.g. size of space, building(s) and/or site) 2,525 SF
 - 2.3. Is project to be located in an existing facility or will it be in new construction? Existing Facility
 - 2.4. Will facility be owned or leased? Leased
3. Timing

Provide estimated date (month & year) for the following:

 - 3.1. First development application (e.g. zoning, site plan, permit, etc.) N/A
 - 3.2. Ground breaking N/A
 - 3.3. Occupancy & business operation Estimated December 2023
 - 3.4. Phasing if proposed N/A
4. Economic Impact Data

Provide estimates for the following:

 - 4.1. Square feet of construction & construction value
 - 4.2. Personal property value \$100,000 \$550,000
 - 4.3. Annual taxable sales \$1,000,000
 - 4.4. Number of full-time equivalent (FTE) employees 7
 - 4.5. Number of employees with salary of \$50,000 or greater 7
 - 4.6. Average annual salary per FTE \$50,000
 - 4.7. Provide above data by phase if project will be phased
5. Supporting Information
 - 5.1. Incentive amount requested and rationale for request \$50,000.00
 - 5.2. Overview of company/project team including related experience
 - 5.3. Additional general comments from applicant (if desired)

Please contact Nathan Reddin, Development Director, at 940-242-5703 or nreddin@town.northlake.tx.us if you have any questions.

FOR OFFICE USE ONLY

Stamp Received



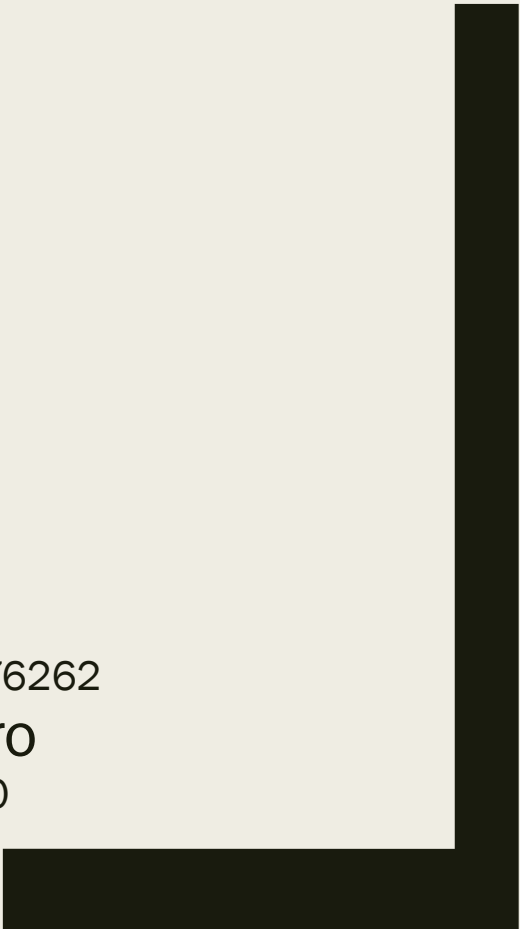
RYAN LI

Owner of
Fish & Knife

2001 Hwy 114, Suite 109, Trophy Club, TX 76262

Blue Ginger Japanese Bistro

2900 Wind River Ln, Denton, TX 76210



The road to SUCCESS start here

- More than 20 Yrs of working experience as a Chef in a Japanese Restaurant
- From 2003-2007, working as Sushi Chef at Fushimi in New York
- From 2007-2011, working as Head Sushi Chef at Atami in College Station
- In August 2011, opened and partnered with Fish & Knife in Trophy Club
- In 2014, became a partner at Blue Ginger in Denton

Ryan Li in ACTION

Preparing Sushi



Team Work



Atami Steak & Sushi

800 University Dr E, College Station, TX



Atami Steak & Sushi

800 University Dr E, College Station, TX



Atami Steak & Sushi



Fish & Knife Japanese Cuisine
2001 Hwy 114, Suite 109
Trophy Club, TX 76262



Fish & Knife Japanese Cuisine
2001 Hwy 114, Suite 109
Trophy Club, TX 76262



Elegant Sushi bar



Dining Area



Fish & Knife Japanese Cuisine

2001 Hwy 114, Suite 109
Trophy Club, TX 76262



Dining area



Sushi bar



Fish & Knife Japanese Cuisine
2001 Hwy 114, Suite 109
Trophy Club, TX 76262



Sushi bar



Ryan Li in action



Blue Ginger Japanese Bistro

2900 Wind River Ln, Denton, TX 76210



Blue Ginger Japanese Bistro

2900 Wind River Ln, Denton, TX 76210

Cashier Counter



Dining area





PIONEER GRANT PERFORMANCE AGREEMENT

This Pioneer Grant Performance Agreement is entered into by and between the Town of Northlake, Texas, an incorporated municipality of Denton County, Texas, the Northlake Economic Development Corporation (the "EDC") and the Northlake Community Development Corporation (the "CDC") (the Town of Northlake, together with the EDC and CDC, the "Town"), and Kurogi Ramen & Sushi Restaurant (the "Grantee").

WITNESSETH:

WHEREAS, the Town Council on December 11, 2014 approved Resolution No. 14-32 adopting an Incentives Policy for the Town (the "Policy") as amended, which: (1) established certain guidelines and criteria for the use of Town incentive programs for private development projects; and (2) authorized the establishment of programs for making loans and grants of Type A and Type B economic development sales tax funds to promote local economic development and to stimulate business and commercial activity in the Town of Northlake pursuant to the Development Corporation Act, codified in Chapters 501-505 of the Texas Local Government Code, (the "Act"); and

WHEREAS, the Town has established the Pioneer Grant Program pursuant to the Policy to promote the development of retail, restaurant, and service businesses in the Town of Northlake; and

WHEREAS, the Grantee has submitted an application to receive a Pioneer Grant for the development of Kurogi Ramen & Sushi Restaurant; and

WHEREAS, the Town has reviewed the application and is willing to provide Grant funds for the use of the Grantee, provided that the Grantee meets certain criteria relating to maintenance of the facility as Kurogi Ramen & Sushi Restaurant, capital investments and new jobs; and

WHEREAS, the Grantee is required to return all or a portion of the funds received to the Town if the performance criteria of the Grantee are not met; and

WHEREAS, the Town and the Grantee desire to set forth their understanding and agreement as to the payout of the Grant proceeds, the obligations of the Grantee regarding capital investment and new job creation, and the repayment by the Grantee of all or part of the Grant under certain circumstances; and

WHEREAS, the Grantee's plans to construct an approximately 1,262 square-foot ramen and sushi restaurant the "Facility") will entail a capital expenditure of greater than \$550,000 referred to in the Agreement as the "Capital Investment"; and

WHEREAS, it is expected that at least 7 New Jobs, as defined herein, will be created at the Facility; and

WHEREAS, the Grantee plans to maintain the facility as a Kurogi Ramen & Sushi Restaurant for 5 years unless otherwise approved by the Town; and

WHEREAS, together, the Capital Investment target of \$550,000; the New Jobs target of 7; and the 5-year Maintenance target are referred to herein as the “Targets”; and

WHEREAS, the Facility is expected to generate approximately \$1,000,000 in annual taxable sales in addition to the indirect benefit of establishing Northlake as a restaurant/retail destination with the potential to encourage additional restaurant/retail development; and

WHEREAS, the EDC and CDC boards of directors designated an incentive for the development of the Facility in the total amount of \$50,000 (payment to be split evenly between the EDC and CDC) as a project that will promote new business development at their November 16, 2023 board meetings; and

WHEREAS, all requirements of the Act shall be met prior to distribution of grant funds, including, but not limited to, any requirements for public hearings, notice and authorization of the Town Council, if necessary;

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits, promises and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto covenant and agree as follows:

Section 1. Disbursement of the Grant.

The Grant in the amount of \$50,000 will be paid to the Grantee upon completion of the Facility as certified by the issuance of a Certificate of Occupancy (the “CO”) by the Town. Within 30 days of issuance of the CO, the Town will disburse the Grant proceeds to the Grantee as an inducement to the Grantee to achieve the Targets at the Facility.

Section 2. Targets and Definitions.

The Grantee will develop the Facility as a finish out space within Northlake Commons, make a capital investment of at least \$550,000, create and maintain at least 7 New Jobs at the Facility, and maintain the branding of the Facility as a ramen and sushi restaurant unless otherwise approved by the Town. The actual construction costs of the Facility shall meet the Capital Investment Target and such investment shall be satisfied with completion of construction which shall culminate in the issuance of a CO within one year of the date of this agreement. The New Jobs Target shall be met within one year of the issuance of the CO and the Target shall be maintained through the final Performance Date which shall be five years from the issuance of the CO. The Maintenance Target shall be maintained through final Performance Date unless alteration of the branding is otherwise approved by the Town.

For the purpose of this Agreement, the following terms shall have the following definitions:

“Capital Investment” means a capital expenditure in taxable real property, taxable tangible personal property, or both at the Facility (excluding the purchase of land or existing real property improvements). The capital investment must be in addition to the capital improvements at the Facility at the date of this Agreement.

“Employee” means the full-time equivalent (FTE) employment of a person performing a duty for the Grantee at the facility. This term shall not include contract workers who are considered independent contractors for the Grantee.

“Maintain” means that the new jobs created pursuant to the Grant will continue without interruption from the date of creation through the Performance Date as it relates to the Jobs Target. “Maintain” as it relates to the Maintenance Target means that the branding of the Facility will remain as initially proposed from the date of opening through the Performance Date.

”New Job” means new permanent employment of an Employee for an indefinite duration at the Facility. Each New Job must require a minimum of either (1) 30 hours of an Employee’s time per week for the entire normal year of the Grantee’s operations, which “normal year” must consist of a least 52 weeks, or (2) 1,560 hours per year. Seasonal or temporary positions, positions created when a job function is shifted from an existing location in the Town limits of Northlake, and positions with contractors, suppliers, and similar multiplier or spin-off jobs shall not qualify as New Jobs.

Section 3. Repayment Obligation.

Determination of Inability to Comply: If the Town, in its sole discretion, determines at any time prior to the Performance Date (a “Determination Date”) that the Grantee is unable or unwilling to meet and maintain any of its Targets by and through the Performance Date and the Town has not authorized any alteration or change to the applicable Target, and if the Town promptly notifies the Grantee of such determination, the Grantee must repay the Grant proceeds based upon the following schedule:

In the 1st year following CO issuance	Repay \$50,000
On or after the 1st anniversary of CO issuance but before the 2nd anniversary of CO issuance	Repay \$40,000
On or after the 2nd anniversary of CO issuance but before the 3rd anniversary of CO issuance	Repay \$30,000
On or after the 3rd anniversary of CO issuance but before the 4th anniversary of CO issuance	Repay \$20,000
On or after the 4th anniversary of CO issuance but before the 5th anniversary of CO issuance	Repay \$10,000

Repayment Dates: Such repayment shall be due from the Grantee to the Town within thirty days of the Performance Date or the Determination Date, as applicable.

Section 4. Grantee Reporting.

The Grantee shall provide, at the Grantee's expense, detailed verification reasonably satisfactory to the Town of the Grantee's progress on the Targets. Such progress reports will be provided at least annually, starting at twelve months from the date that the Grantee receives the Grant, and at such other times as the Town may require for a period of five years from the grant proceeds award date.

Section 5. Notices.

Any notices required or permitted under this Agreement shall be given in writing, and shall be deemed to be received upon receipt or refusal after mailing of the same in the United States Mail by certified mail, postage fully pre-paid or by overnight courier (refusal shall mean return or certified mail not accepted by the addressee):

If intended for the Town, to:

Town of Northlake
1500 Commons Circle, Suite 300
Northlake, Texas 76262
Attn: Drew Corn, Town Manager
Phone: (940) 648-3290
Fax: (940) 648-0363
Email: dcorn@town.northlake.tx.us

If intended for the Grantee, to:

Kurogi Ramen & Sushi
2001 E. Highway 114, Ste 190
Trophy Club, Texas 76262
Attn: Ryan Li
Phone: (917) 293-4227
Email: kurogi2023@gmail.com

With a copy to:

Taylor, Olson, Adkins, Sralla & Elam, L.L.P.
6000 Western Place, Suite 200
Fort Worth, Texas 76107
Attn: Ashley D. Dierker
Phone: (817) 332-2580
Fax: (817) 332-4740
Email: adierker@toase.com

Northlake EDC
1500 Commons Circle, Suite 300
Northlake, Texas 76262
Attn: President
Phone: (940) 648-3290
Fax: (940) 648-0363
Email: northlakeedc@town.northlake.tx.us

Northlake CDC
1500 Commons Circle, Suite 300
Northlake, Texas 76262
Attn: President

Phone: (940) 648-3290
Fax: (940) 648-0363
Email: northlakecdc@town.northlake.tx.us

Section 6. Miscellaneous.

- A. Tax Liability: Grantee is responsible for any and all state and federal tax liability that may be due upon acceptance of this grant/loan. Grantee is encouraged to contact their accountant for any questions or concerns.
- B. Entire Agreement; Amendments: This Agreement constitutes the entire agreement between the parties hereto as to the subject matter contained herein and may not be amended or modified, except in writing signed by each of the parties hereto. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The Grantee may not assign its rights and obligations under this Agreement without the prior written consent of the Town.
- C. Governing Law; Venue: This Agreement is made and performable in the Town limits of Northlake in Denton County, Texas and shall be construed and enforced by local and state laws within the State of Texas. Venue for any litigation arising out of or involving this Agreement shall lie in Denton County, Texas.
- D. Counterparts: This Agreement may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument.
- E. Severability: If any provision of this Agreement is determined to be unenforceable, then the remaining provisions of this Agreement shall, in the discretion of the Town, be voidable or interpreted as in effect as if such unenforceable provision were not included therein.

EXECUTED and effective as of the date of the last authorized signature below.

TOWN OF NORTHLAKE

DREW CORN

Town Manager

By: _____
Drew Corn, Town Manager

Date: _____

**NORTHLAKE ECONOMIC DEVELOPMENT
CORPORATION**

By: _____
Laura Montini, President of Board of Directors

Date: _____

**NORTHLAKE COMMUNITY DEVELOPMENT
CORPORATION**

By: _____
Andy Gibson, President of Board of Directors

Date: _____

GRANTEE:

By: _____
Ryan Li, Owner
Kurogi Ramen & Sushi

Date: _____

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Town of Northlake Comprehensive Plan

SUBJECT: Consider a Resolution of the Town of Northlake, Texas, approving and authorizing the Town Manager to execute an agreement/contract with Halff Associates, for Conceptual Design and Discharge Permitting for the third Catherine Branch Wastewater Treatment Plant Expansion, in an amount not to exceed \$78,700

**GOALS/
OBJECTIVES:** Invest in Infrastructure/Continue to invest in infrastructure expansions and improvements

BACKGROUND INFORMATION:

- Catherine Branch Wastewater Treatment Plant requires discharge permit approvals from the Texas Commission on Environmental Quality (TCEQ)
- Current permitting allows for 0.5 million gallons per day (MGD) capacity
- Continued development warrants increased capacity of the Catherine Branch Wastewater Treatment Plant from 0.5 MGD to 0.75 MGD
- Halff will work to apply for and obtain a discharge permit from TCEQ
- Future permit increases allowed capacity to 0.75 MGD, if approved

COUNCIL ACTION/DIRECTION:

Consider resolution approving contract with Halff Associates



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL RESOLUTION**

NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDED CONTRACT WITH HALFF ASSOCIATES, FOR CONCEPTUAL DESIGN AND DISCHARGE PERMITTING FOR THE THIRD CATHERINE BRANCH WASTEWATER TREATMENT PLANT EXPANSION, IN AN AMOUNT NOT TO EXCEED \$78,700; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town Council of the Town of Northlake has identified the Catherine Branch water and wastewater projects as priorities necessary for future development and public wellbeing; and

WHEREAS, continued development warrants increased capacity of the Catherine Branch Wastewater Treatment Plant from 0.5 million gallons to .75 million gallons per day; and

WHEREAS, the Town of Northlake maintains an ongoing contract with Halff Associates for the provision of engineering consulting services; and

WHEREAS, Halff Associates has offered an amended contract for conceptual design and discharge permitting of the Catherine Branch Wastewater Treatment Plant expansion, including general management of the project, to a standard acceptable to the Town; and

WHEREAS, the cost for these services is \$78,700.

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

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this resolution as if copied in their entirety.

Section 2. The Town manager is authorized to execute an amended contract with Halff Associates for conceptual design and discharge permitting of the Catherine Branch Wastewater Treatment Plant Expansion, in an amount not to exceed \$78,700.

Section 3. This resolution shall be effective immediately upon approval by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

Town of Northlake, Texas

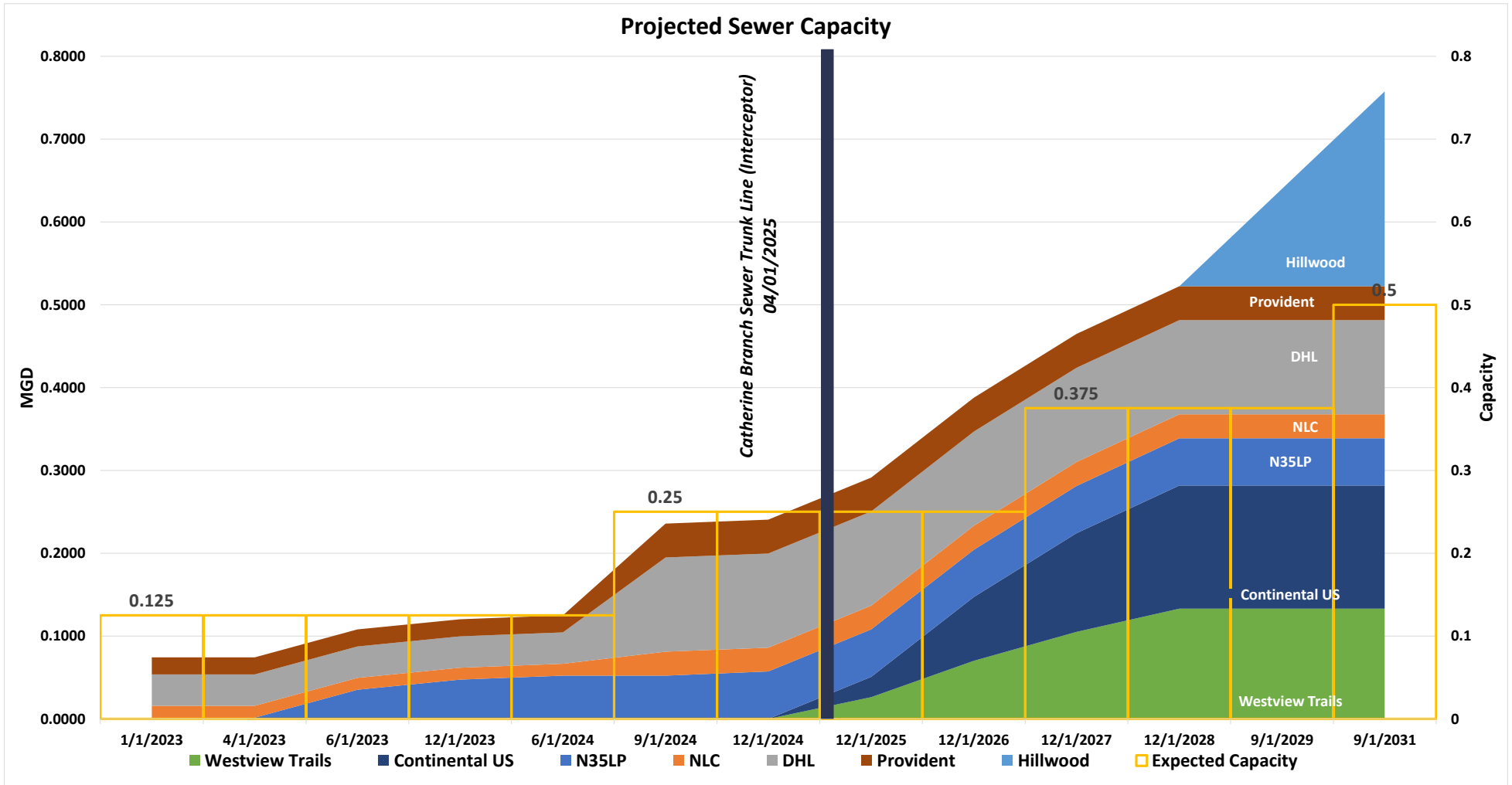
David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary



Catherine Branch Water/Sewer Projections 2022



STATE OF TEXAS)

COUNTY OF DENTON)

**CHANGE ORDER AND AMENDMENT NO. 26
OF
CONSULTANT’S CONTRACT**

THIS agreement is by and between the **Town of Northlake, Texas**, a municipal corporation, duly authorized to act by the Town Council of said Town, hereinafter called “Town,” and **Halff Associates, Inc.**, a Texas corporation, acting through a duly authorized officer, hereinafter called “Consultant,” relative to Consultant providing professional engineering services to the Town.

WHEREAS, the Town and Consultant have entered into an agreement such that the Consultant is to provide the following services: **Conceptual Design and Discharge Permitting for 3rd Expansion of the Catherine Branch WWTP**

WHEREAS, the above referenced agreement provides that if there is a change in scope or focus of the activities in the contract, or if it is necessary for the Consultant to do additional work such that there is a significant additional cost or expense to the Town, it is necessary for the Town to approve such work and/or for the parties to change the contract; and

WHEREAS, the parties recognize that it is necessary for Consultant to do additional work under the contract, such work which is set out in Exhibit “A,” which is attached hereto and incorporated herein as if set out in full herein; and

NOW, THEREFORE, for and in consideration of the mutual acts and covenants set out herein, the parties agree as follows:

1. Consultant, in addition to the work to be performed in the Contract dated November 9, 2009, shall perform the task(s) described in Exhibit “A,” basically described as Additional Services.
2. The amount to be paid to Consultant under such contract shall be in accordance with Exhibit “B” and shall reflect the work described in Exhibit “A.”
3. This shall constitute an Authorization for a Change in Work as set out in the agreement between the parties, and an amendment to such contract. All of the terms and conditions of the original contract shall remain in full force and effect, as amended hereto, unless set out otherwise herein.

Signed and effective on this the 14th day of December 2023.

TOWN OF NORTHLAKE, TEXAS

By: _____

Printed Name: Drew Corn

Title: Town Manager

HALFF ASSOCIATES, INC., CONSULTANT

By: _____

Printed Name: Ron King, P.E.

Title: Team Leader

ATTACHMENT “A” SERVICES

Conceptual Design and Discharge Permitting for 3rd Expansion of the Catherine Branch WWTP

This Attachment “A” defines the services to be performed by Halff Associates, Inc. in conjunction with preparation of a conceptual design memo and TCEQ wastewater discharge permit application for the proposed 3rd expansion of the Catherine Branch Wastewater Treatment Plant (WWTP) located on the proposed Buchanan development site. Our services include the following:

Project. The TCEQ is currently preparing a 0.5 MGD discharge permit for the proposed wastewater treatment plant. This project includes preparation of an application to TCEQ to increase the permitted discharge from 0.5 MGD to 0.75 MGD, including the required conceptual design parameters to accompany the permit application.

Our proposal is based on the following assumptions:

- The additional WWTP treatment will be one circular type package plant train with an additional capacity of 0.25 MGD average flow. It is assumed that this package plant addition will be installed as separate design and construction contracts with the timing of each dependent upon development demands. The following is a summary of the anticipated permitting and installations:
 - Initial 0.25 MGD discharge permit— previously obtained.
 - First 0.125 WWTP installation – Currently under construction.
 - Second 0.125 MGD treatment train design is underway. This second 0.125 mgd is currently envisioned to be combined into a larger phase that will expand the plant’s capacity to 0.5 mgd (which is contingent on the second permitting step described below).
 - Discharge permit expanded to 0.50 MGD— currently this application is in progress with the TCEQ. A final permit is expected in June 2023.
 - Includes the 2nd phase that will expand the plant to 0.5 mgd. Design for this phase is underway.
 - Discharge permit expanded to 0.75 MGD – to be accomplished with these Services.
 - Final 0.25 MGD treatment train to bring the total plant treatment capacity to 0.75 MGD. Design & construction – future contracts.
- Effluent discharge is assumed to be within the same outfall location as the original permit.
- This scope of services assumes a basic, non-protested discharge permit process. Additional compensation will be required to coordinate with other utilities (beyond 1 meeting with TRA), deal with protestors, write a formal water quality

modeling memorandum, conduct more than one water quality model, obtain water quality data or stream transects in order to refine the water quality model, or make significant modifications to the permit application after it has been initially drafted.

- I. Conceptual Design.** The proposed WWTP additional phase will be sized for 0.25 MGD average capacity. Potential discharge parameters will be preliminarily identified. Based upon this information, coordination with WWTP package plant manufacturers will begin. Design criteria will be established, and process calculations and equipment sizing conducted. Solids disposal options will be considered. Preliminary site layout, hydraulic profile, and process flow diagrams prepared. Results and recommendations will be documented in a brief Technical Memorandum. Review comments by the Town will be addressed.
- II. Discharge Permit.** Consultant will attend one preliminary meeting with the TCEQ, along with the Town (assumed to be a net meeting). Based upon the preliminary design memo prepared above, Consultant will prepare a TCEQ TPDES discharge permit application, and conduct a basic level of processing. If necessary, one basic level water quality model will be prepared and run.

Services Not Included in this Contract:

- Survey, geotechnical, design phase, advertisement/bid phase, and construction phase services for the second, third, and fourth treatment trains.
- Water Quality sampling
- Effluent discharge location off site
- TCEQ discharge permitting services that are beyond a basic, non-protested discharge permit process. Additional compensation will be required to coordinate with other utilities (beyond 1 meeting with TRA), deal with protestors, write a formal water quality modeling memorandum, conduct more than one water quality model, obtain water quality data or stream transects in order to refine the water quality model, or make significant modifications to the permit application after it has been initially drafted.
- Environmental coordination, protection, permitting, or other Environmental Services
- FDP and FEMA permitting for any floodplain filling based on location of WWTP site as approved by the Developer
- USACE permitting (wetlands, 404, etc.)
- Right of Entry Coordination in addition to mailed letters to property owners
- Tree Survey
- Easement or land acquisition
- Platting
- Site visits or meetings in excess of number specified
- SUE

- The contract assumes a package type WWTP that can meet typical discharge criteria. Permitting for an individual unit process type WWTP, and/or a WWTP to meet strict discharge parameters will be an additional service.

ATTACHMENT “B” COMPENSATION

Conceptual Design and Discharge Permitting for 3rd Expansion of the Catherine Branch WWTP

This Attachment “B” further defines the basis of compensation to the Consultant for the services rendered.

- I. Basic Fee Services** - The basic fee for the services as described in Attachment “A” will be **\$ 36,200.00** which includes printing, direct costs and computer charges normally associated with production of these services.

The basis of compensation for Basic Fee services shall be as follows:

1. \$ 36,200 for Preliminary Design Phase

Item (1) will be billed lump sum monthly based on percent completion of the design tasks and may include partial payments of the total amounts designated for each of the items.

- II. Special Services** – The maximum not-to-exceed fee for the special services as described in Attachment “A” will be **\$ 42,500** which includes printing, direct costs and computer charges normally associated with production of these services. The basis of compensation for Special Services shall be lump sum. The following table summarizes special services fees.

TASK DESCRIPTION	FEE
V. Discharge Permit	\$42,500.00
TOTAL SPECIAL SERVICES	\$ 42,500.00

- III. Miscellaneous Services** – The fee for additional services not provided herein will be negotiated based on the scope of work and included in a contract amendment.

The total maximum fee for all services is **\$ 78,700.**

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Unified Development Code (UDC); The Pathway to 2040 Northlake Comprehensive Plan Update; Northlake Industrial Sector Plan

SUBJECT: Consider an ordinance for a zoning change from RR – Rural Residential to I – Industrial for approximately 0.88 acres of land located on the east side of Cleveland-Gibbs Road at 12219 Cleveland-Gibbs Road. Case # 23-ZCA00004

- i. Public Hearing
- ii. Consider Approval

GOALS/ OBJECTIVES: Exercise Fiscal Responsibility/Build a robust commercial sales tax revenue base

BACKGROUND INFORMATION:

Site: Approximately 0.88 acres of land on the east side of Cleveland-Gibbs Road at 12219 Cleveland-Gibbs Road.

Applicant/Owner: Cesar Venzor & Isabel Cano

Current Zoning: Rural Residential (RR) - Single-family residential and agricultural uses on minimum lot size of 5 acres

Proposed Zoning: Industrial (I) - Industrial uses with no minimum lot size

Future Land Use: Business Park Character Area – Described generally as an employment center which may include hotels, distribution centers, corporate office campuses, educational facilities, technology centers, research facilities, retail, and restaurants. Limited manufacturing and warehouse uses may be allowed to support the employment centers.

Sector Plan: Northern Industrial Sector: Auxiliary Industrial – Region-traditional and commercial uses; supporting storage functions maintained with screening and use controls.

Staff Analysis: This request generally conforms with the future land use designation of the Northlake Comprehensive Plan as well as the land use recommendations of the Industrial Sector Plan. The zoning change application is acceptable for consideration.

Public hearing: A public hearing is required prior to acting on the zoning change request. Public hearing notices were mailed to Northlake property owners within 200 feet, signs posted, and notice was published in the Denton Record Chronicle and on the Town's website. As of December 7th no written comments have been received.

P&Z Action:

- November 28 meeting
 - Held public hearing with no speakers for or against
 - Recommended approval of zoning change

COUNCIL ACTION/DIRECTION:

- Hold public hearing

- Approve or disapprove zoning change request



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING ORDINANCE NO. 13-0124A BEING THE NORTHLAKE UNIFIED DEVELOPMENT CODE AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF A 0.8761 ACRE TRACT OF LAND SITUATED IN THE G. RAMSDALE SURVEY, ABSTRACT NO. 1128, IN THE TOWN OF NORTHLAKE FROM “RR” RURAL RESIDENTIAL TO “I” INDUSTRIAL AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; 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, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 13-1024A establishing the Unified Development Code which contains the zoning regulations of the Town of Northlake; and

WHEREAS, the Unified Development Code and Official Zoning Map established the zoning of “RR” Rural Residential for a 0.8761-acre tract of land located in the G. Ramsdale Survey, Abstract No. 1128, in the Town of Northlake, Denton County, Texas (the “Property”); and

WHEREAS, the Unified Development Code provides for requests for zoning changes or zoning map amendments; and

WHEREAS, the Town of Northlake has received a request from the owner of the Property to rezone the Property by establishing an “I” Industrial zoning district on the Property; and

WHEREAS, the Town of Northlake heretofore adopted Ordinance No. 16-1208E on December 8, 2016, The Pathway to 2040 Northlake Comprehensive Plan Update, and the requested rezoning complies with recommendations of the plan; and

WHEREAS, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for zoning of property have been complied with; and

WHEREAS, a public hearing was held by the Town Council of the Town of Northlake on December 14, 2023 with respect to the zoning change described herein; and

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public interest to approve the zoning change request to "I" Industrial on the Property.

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

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The Property more fully described in Exhibit "A" shall be zoned "I" Industrial. The use of the Property shall be subject to all applicable regulations for the "I" Industrial zoning district contained in the Unified Development Code and all other applicable and pertinent ordinances of the Town of Northlake.

Section 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall be punished in accordance to Section 1.01.009 of the Town of Northlake Code of Ordinances, and no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

Section 4. 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 5. 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 6. 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 7. This Ordinance shall be in full force and effect from and after its passage and/or publication as required by law.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT "A"

Being a tract of land situated in the G. Ramsdale Survey, Abstract No. 1128, Town of Northlake, Denton County, Texas, and being the same tract of land conveyed to John Wesley Clepper and Jeana Faye Glass, by Deed recorded in Volume 4636, Page 561, Deed Records, Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner in Cleveland Gibbs Road and being the Northwest corner of a tract of land conveyed to Bob Smith Management Co., Ltd. by Deed recorded in Document No. 97-0089449, Deed Records, Denton County, Texas, said corner also being the Southwest corner of said Clepper/Glass tract;

THENCE North 00 degrees 08 minutes 15 seconds West, with Cleveland Gibbs Road, a distance of 199.83 feet to a 1/2 inch iron rod found for corner, said corner being the Southwest corner of a tract of land conveyed to Lewis W. Donley, by Deed recorded in Volume 4741, Page 2624, Deed Records, Denton County, Texas.

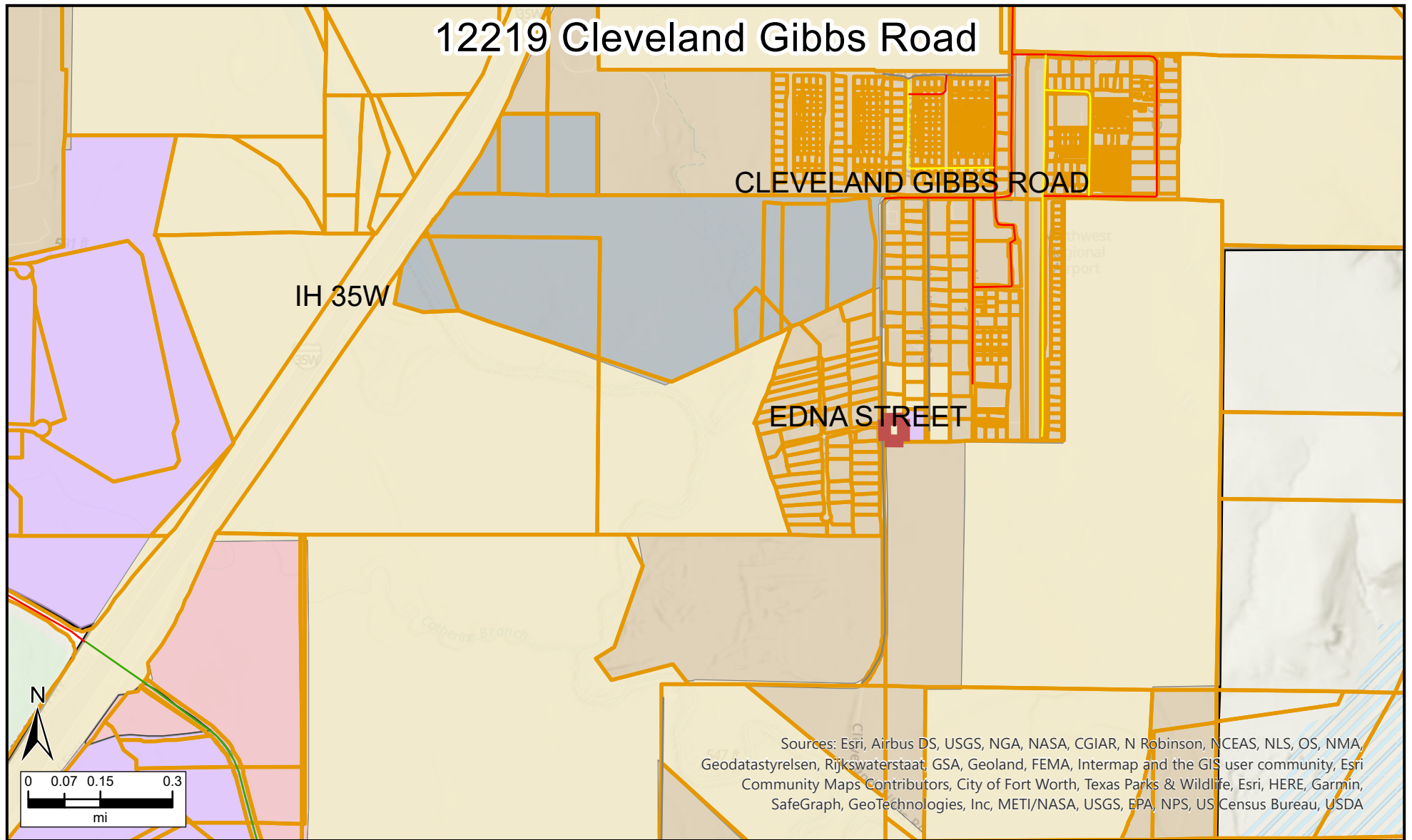
THENCE North 89 degrees 21 minutes 00 seconds East, a distance of 191.00 feet to a 1/2 inch iron rod found for corner, said corner being the Southeast corner of said Donley tract and being in the West line of a tract of a tract of land conveyed to Therese A. Whalen, by Deed recorded in Volume 2979, Page 171, Deed Records, Denton County, Texas;

THENCE South 00 degrees 08 minutes 15 seconds East, a distance of 199.83 feet to a 1/2 inch iron rod found for corner, said corner being the Southwest corner of a tract of land conveyed to Therese A. Whalen by Deed recorded in County Clerk's File No. 95-R0052420, Deed Records, Denton County, Texas, and lying in the North line of said Bob Smith Management tract;

THENCE South 89 degrees 21 minutes 00 seconds West, along said North line of said Bob Smith Management tract, a distance of 191.00 feet to the Point Of Beginning and containing 38,166.00 square feet or 0.8761 acres of land.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.

12219 Cleveland Gibbs Road



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, City of Fort Worth, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Legend

Existing Roads Town of Northlake Zoning

EstimatedOCI

- 0.0 - 49.9
- 50.0 - 74.9
- 75.0 - 99.4
- out of range
- Parcels
- Commercial
- Commercial/Planned Development
- Neighborhood Commercial
- Industrial
- Industrial/Planned Development
- Mixed-Use/Planned Development
- HUD Code Manufactured Housing
- Rural Residential min 5 ac

- Rural Estate min 1 ac
- Rural Estate/Planned Development min 1 ac
- Agricultural
- Northlake Boundary

Town of Northlake Incorporated Area and ETJ

- Incorporated Area
- Extraterritorial Jurisdiction
- Limited Purposes Annexation



Date: 11/6/2023

12219 Cleveland Gibbs Road

CLEVELAND GIBBS ROAD

EDNA STREET

Esri Community Maps Contributors, City of Fort Worth, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

Legend

Existing Roads Town of Northlake Zoning

EstimatedOCI

0.0 - 49.9

50.0 - 74.9

75.0 - 99.4

out of range

Parcels

Commercial

Commercial/Planned Development

Neighborhood Commercial

Industrial

Industrial/Planned Development

Mixed-Use/Planned Development

HUD Code Manufactured Housing

Rural Residential min 5 ac

Rural Estate min 1 ac

Rural Estate/Planned Development min 1 ac

Agricultural

Northlake Boundary

Town of Northlake Incorporated Area and ETJ

Incorporated Area

Extraterritorial Jurisdiction

Limited Purposes Annexation



Date: 11/6/2023

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Unified Development Code (UDC); The Pathway to 2040 Northlake Comprehensive Plan Update

SUBJECT: Consider an Ordinance for a zoning change from RR – Rural Residential to NC – Neighborhood Commercial for approximately 2.75 acres of land located on the north side of FM 1171 at 12170 FM 1171. Case # 23-ZCA00003

- i. Public Hearing
- ii. Consider Approval

GOALS/ OBJECTIVES: Exercise Fiscal Responsibility/Build a robust commercial sales tax revenue base

BACKGROUND INFORMATION:

Site: Approximately 2.75 acres located on the north side of FM 1171 at 12170 FM 1171

Owner: Keith H Gierisch

Applicant/Developer: YMC Assets LLC

Current Zoning: Rural Residential (RR) - Single-family residential and agricultural uses on minimum lot size of 5 acres

Proposed Zoning: Neighborhood Commercial (NC) - Limited retail and services intended for the use of nearby neighborhood areas

Future Land Use: Arterial Corridor - Transitional buffers between and within character areas. These corridors serve to connect residential with retail and commercial development.

Staff Analysis: The site currently contains a single-family residential home and accessory buildings. The applicant plans to purchase the property and redevelop the site with a daycare and mix of retail and service uses. This request generally conforms with the future land use designation of the Northlake Comprehensive Plan. The zoning change application is acceptable for consideration.

Public Hearing: A public hearing is required prior to acting on the zoning change request. Public hearing notices were mailed to Northlake property owners within 200 feet, signs posted, and notice was published in the Denton Record Chronicle and on the Town's website. As of December 6th one written comment has been received which is attached.

P&Z Action:

- November 28 meeting
 - Held public hearing with following speakers for or against:
 - For - Applicant
 - Against - Bruce McDonald
 - Recommended approval of zoning change

COUNCIL ACTION/DIRECTION:

- Hold public hearing
- Approve or disapprove zoning change request



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING ORDINANCE NO. 13-0124A BEING THE NORTHLAKE UNIFIED DEVELOPMENT CODE AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF A 2.76 ACRE TRACT OF LAND SITUATED IN THE W. LOVE SURVEY, ABSTRACT NO. 728, IN THE TOWN OF NORTHLAKE FROM “RR” RURAL RESIDENTIAL TO “NC” NEIGHBORHOOD COMMERCIAL AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; 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, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 13-1024A establishing the Unified Development Code which contains the zoning regulations of the Town of Northlake; and

WHEREAS, the Unified Development Code and Official Zoning Map established the zoning of “RR” Rural Residential for a 2.76-acre tract of land located in the W. Love Survey, Abstract No. 728, in the Town of Northlake, Denton County, Texas (the “Property”); and

WHEREAS, the Unified Development Code provides for requests for zoning changes or zoning map amendments; and

WHEREAS, the Town of Northlake has received a request from the owner of the Property to rezone the Property by establishing an “NC” Neighborhood Commercial zoning district on the Property; and

WHEREAS, the Town of Northlake heretofore adopted Ordinance No. 16-1208E on December 8, 2016, The Pathway to 2040 Northlake Comprehensive Plan Update, and the requested rezoning complies with recommendations of the plan; and

WHEREAS, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for zoning of property have been complied with; and

WHEREAS, a public hearing was held by the Town Council of the Town of Northlake on December 14, 2023 with respect to the zoning change described herein; and

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public interest to approve the zoning change request to “NC” Neighborhood Commercial on the Property.

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

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The Property more fully described in Exhibit “A” shall be zoned “NC” Neighborhood Commercial. The use of the Property shall be subject to all applicable regulations for the “NC” Neighborhood Commercial zoning district contained in the Unified Development Code and all other applicable and pertinent ordinances of the Town of Northlake.

Section 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall be punished in accordance to Section 1.01.009 of the Town of Northlake Code of Ordinances, and no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

Section 4. 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 5. 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 6. 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 7. This Ordinance shall be in full force and effect from and after its passage and/or publication as required by law.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

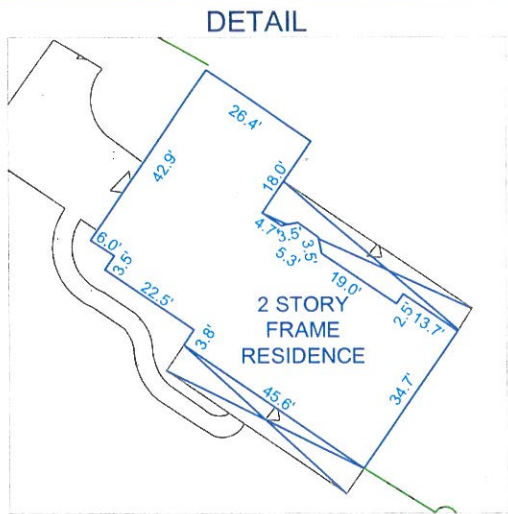
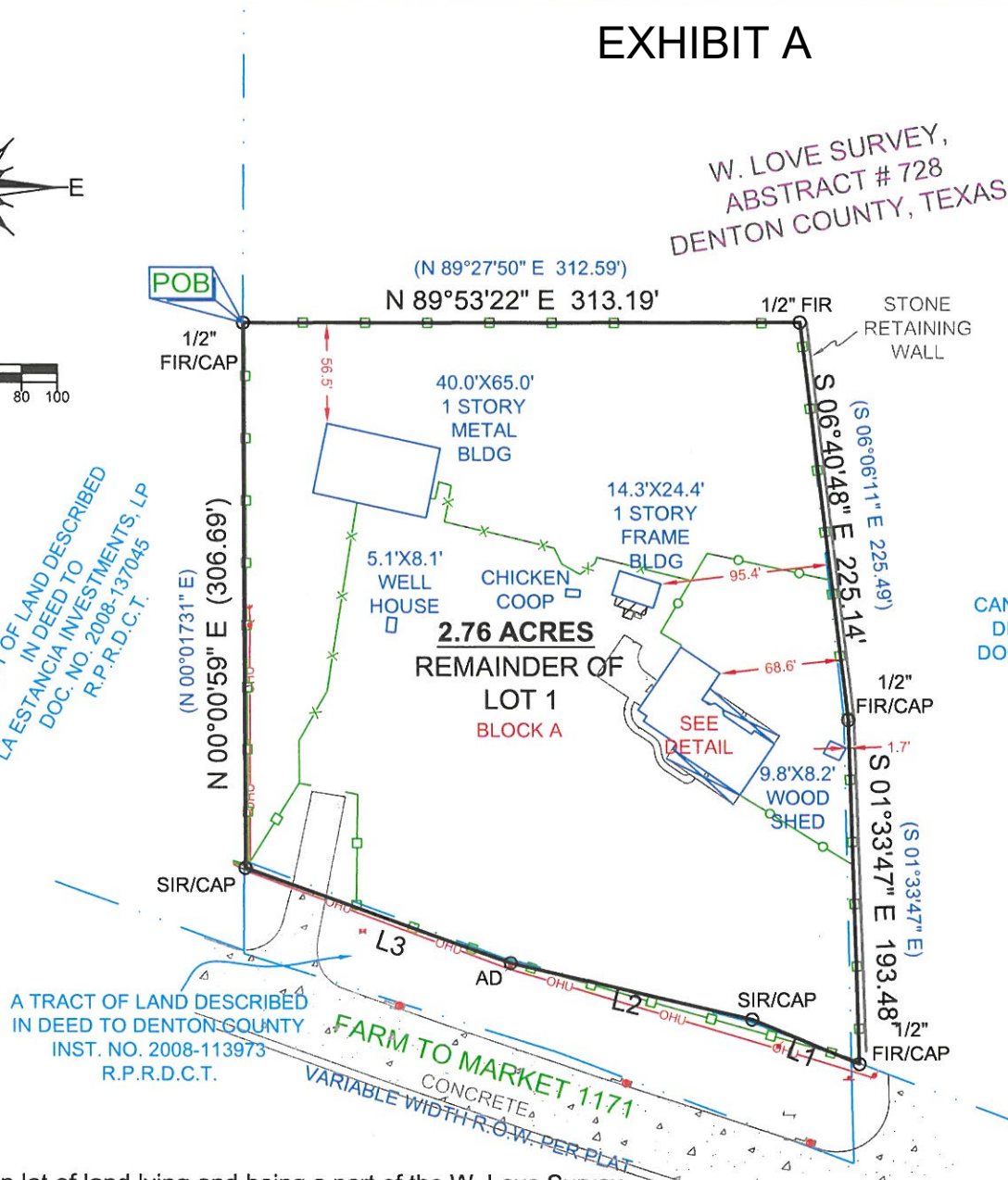
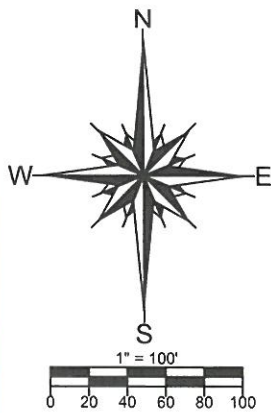
Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT A



All that certain lot of land lying and being a part of the W. Love Survey, Abstract Number 728 and being situated in the ETJ of the City of Northlake, Denton County, Texas and being the remainder of Lot 1, Block A, of Judge Acres, as shown on Plat recorded in Cabinet P, Slide 376, and being more fully described by metes and bounds as follows:

BEGINNING at a 1/2 inch capped iron rod found for the Northwest corner of said Lot 1;

THENCE North 89 degrees 53 minutes 22 seconds East, a distance of 313.19 feet to a 1/2 inch capped iron rod found for the Northeast corner of said Lot 1;

THENCE South 06 degrees 40 minutes 48 seconds East, along the East line of said Lot 1, a distance of 225.14 feet to a 1/2 inch capped iron rod found;

THENCE South 01 degree 33 minutes 47 seconds East, continuing along said East line, a distance of 193.48 feet to a 1/2 inch capped iron rod found for the Northeast corner of a tract of land described in deed to Denton County, recorded in Instrument Number 2008-113973, Real Property Records, Denton County, Texas;

THENCE North 67 degrees 27 minutes 05 seconds West, along the North line of said Denton County tract, a distance of 65.27 feet to a capped iron rod set stamped "KAZ";

THENCE North 76 degrees 54 minutes 41 seconds West, continuing along said North line, a distance of 139.20 feet to an Aluminum Disk found;

THENCE North 70 degrees 20 minutes 41 seconds West, continuing along said North line, a distance of 158.08 feet to a capped iron rod set stamped "KAZ";

THENCE North 00 degrees 00 minutes 59 seconds East, a distance of 306.69 feet to the **POINT OF BEGINNING** and containing 2.76 acres of land, more or less.

NOTE: Bearings shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone (4202), and are based on the North American Datum of 1983, 2011 Adjustment.

SURVEYORS CERTIFICATION

Certified to Chicago Title of Texas, LLC.
(GF#CTJ73-8051732300579-JF) Chicago Title Insurance Company,
Keith H. Gierisch and assigns:

This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 10-04-2023, and substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey. There are no apparent encroachments, intrusions or protrusions except as shown hereon.

LEGEND

	= POWER POLE
	= GUY WIRE
	= WATER VALVE
	= STORM DRAIN MANHOLE
	= BURIED GAS PIPELINE MARKER
R.O.W.	= RIGHT-OF-WAY
FIR	= FOUND IRON ROD
FIR/CAP	= FOUND IRON ROD W/CAP
SIR/CAP	= SET IRON ROD W/CAP
AD	= ALUMINUM DISK
CM	= CONTROLLING MONUMENT
()	= PLAT OR DEED CALL
	= CHAIN LINK FENCE
	= WROUGHT IRON FENCE
	= WIRE FENCE
	= OVER-HEAD UTILITIES
	= ASPHALT
	= CONCRETE
	= WOOD



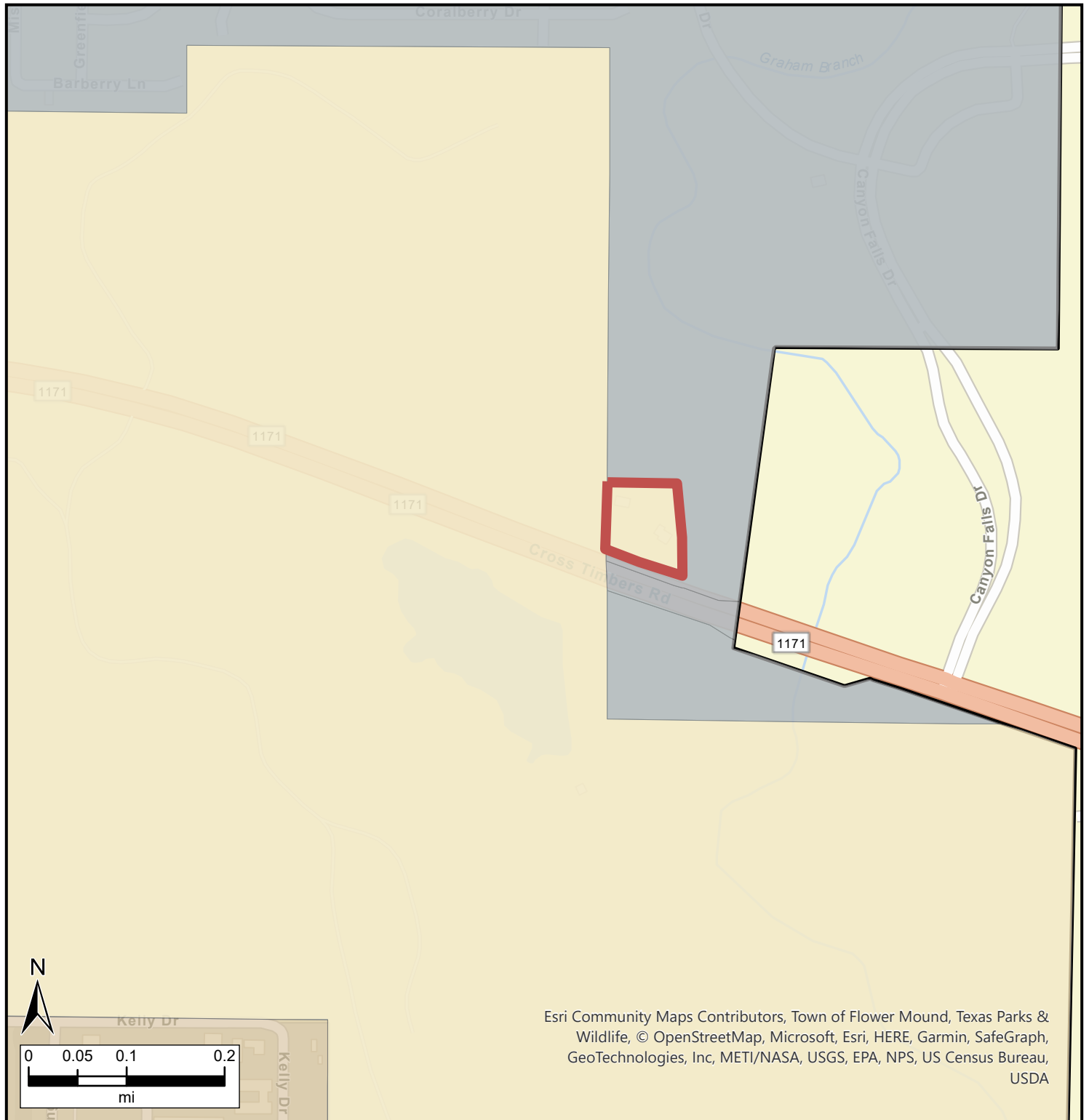
LINE	BEARING	DISTANCE
L1	N 67°27'05" W	65.27'
L2	N 76°54'41" W	139.20'
L3	N 70°20'41" W	158.08'



TX FIRM REGISTRATION # 10002100

1720 WESTMINSTER
DENTON, TX 76205
(940)382-3446
JOB NUMBER: 230406
DRAWN BY: MMF
DATE: 10-11-2023
R.P.L.S.
KENNETH A. ZOLLINGER

Northlake



Esri Community Maps Contributors, Town of Flower Mound, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Legend

Town of Northlake Zoning

- Commercial
- Commercial\Planned Development
- Neighborhood Commercial
- Industrial
- Industrial\Planned Development
- Mixed-Use\Planned Development
- HUD Code Manufactured Housing
- Rural Residential min 5 ac

- Rural Estate min 1 ac
- Rural Estate\Planned Development min 1 ac
- Agricultural
- Northlake Boundary

Town of Northlake Incorporated Area and ETJ

- Incorporated Area
- Extraterritorial Jurisdiction
- Limited Purposes Annexation



Date: 11/17/2023

Northlake



Legend



NOTIFICATION RESPONSE FORM

CASE INFORMATION

Public Hearing Dates: P&Z – November 28, 2023, 5:30 pm; Town Council – December 14, 2023, 5:30 pm
Case Type: Zoning Change
Case Name: 12170 FM 1171 zoning change request from RR – Rural Residential to NC- Neighborhood Commercial
Case #: 23-ZCA00003

WRITTEN RESPONSE

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

Comments (optional):

Signature: [Signature] Date: 11/29/2023
Printed Name: La Estancia Investments LP
Address: 6455 Dallas Pkwy City/State/ZIP: Plano TX 75024
Phone number: 972 612 6120

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
Nathan Reddin, Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1700 Commons Circle Ste. 200
Northlake, Texas 76226

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

Stamp Received

Property within notification area: ☒ Yes ☐ No

Property ID: Ewing Property in North + South
Property Size: 2600 acres 06 1171

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Unified Development Code (UDC); The Pathway to 2040 Northlake Comprehensive Plan Update; Faught Ranch Development Agreement

SUBJECT: Consider an Ordinance for a zoning change from RR – Rural Residential/CRO - Conservation Residential Overlay to RR-PD – Rural Residential Planned Development for an approximately 156.11-acre tract of land situated in the J. James Survey, Abstract No. 1501, generally located west of Faught Road between Evelyn Lane and Robson Ranch Road. Case # PD-23-006

- i. Public Hearing
- ii. Consider Approval

GOALS/ OBJECTIVES: Reinforce our Identity/Preserve estate development; open spaces; and parks

BACKGROUND INFORMATION:

Site: Approximately 156.11-acre tract of land situated in the J. James Survey, Abstract No. 1501, generally located west of Faught Road between Evelyn Lane and Robson Ranch Road

Owner/Applicant: Faught Rd Ranch LLC

Current Zoning: Rural Residential (RR)/Conservation Residential Overlay (CRO) - Single-family residential and agricultural uses on minimum lot size of 5 acres (RR) or average lot size of 5 acres (CRO)

Proposed Zoning: Rural Residential Planned Development (RR-PD) - Single-family residential and agricultural uses on minimum lot size of 4 acres with average lot size greater than 5 acres

Future Land Use: Ranch Preservation (RP) – This area is largely undeveloped with ranches, farms, and estates, but may develop low density residential. This area would seek to preserve ranches, farms, and large estates, typically greater than twenty acres, but also allow, under certain conditions, some areas to have an average density of one dwelling unit per five acres. Agricultural activity may be present. Neighborhood type services could exist near major arterial intersections, but not collector streets. The homes in this area should be located off some collectors and mostly local streets.

Staff Analysis: The purpose of this rezoning is to reflect modifications to the existing Rural Residential (RR) zoning as outlined in the Development Agreement between Faught Rd Ranch LLC and the Town of Northlake approved by the Town Council on November 10, 2022. The proposed planned development (PD) zoning is based on the the RR zoning district with a few modifications including to the minimum lot size and lot width. The PD also includes a concept plan for development of the site into 26 lots. This request conforms with the future land use designation of the Northlake Comprehensive Plan. The zoning change application is acceptable for consideration.

Public Hearing: A public hearing is required prior to acting on the zoning change request. Public

hearing notices were mailed to Northlake property owners within 200 feet, signs posted, and notice was published in the Denton Record Chronicle and on the Town's website. As of December 7th, five written comments have been received and are attached.

P&Z Action:

- November 28 meeting
 - Held public hearing with following speakers for or against
 - For - None
 - Against - Brant Deranger
 - Recommended approval of zoning change with Commissioner Simpson voting against

COUNCIL ACTION/DIRECTION:

- Hold public hearing
- Approve, approve with conditions, or disapprove of zoning change request



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING ORDINANCE NO. 13-0124A BEING THE NORTHLAKE UNIFIED DEVELOPMENT CODE AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF A 156.11 ACRE TRACT OF LAND SITUATED IN THE J. JAMES SURVEY, ABSTRACT NO. 1501, IN THE TOWN OF NORTHLAKE FROM “RR” RURAL RESIDENTIAL/”CRO” CONSERVATION RESIDENTIAL OVERLAY TO “RR-PD” RURAL RESIDENTIAL PLANNED DEVELOPMENT AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING FOR THE ADOPTION OF DEVELOPMENT STANDARDS; PROVIDING FOR THE ADOPTION OF A CONCEPT PLAN; 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, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 13-0124A establishing the Unified Development Code which contains the zoning regulations of the Town of Northlake; and

WHEREAS, the Unified Development Code and Official Zoning Map established the zoning of “RR” Rural Residential/”CRO” Conservation Residential Overlay for a 156.11-acre tract of land located in J. James Survey, Abstract No. 1501, in the Town of Northlake, Denton County, Texas (the “Property”); and

WHEREAS, the Unified Development Code provides for adoption of Planned Development Districts; and

WHEREAS, the Town of Northlake has received a request from the owners of the Property to rezone the Property to establish a “RR-PD” Rural Residential Planned Development District; and

WHEREAS, the Town of Northlake heretofore adopted Ordinance No. 16-1208E on December 12, 2016, The Pathway to 2040 Northlake Comprehensive Plan Update, and the requested rezoning complies with recommendations of the plan; and

WHEREAS, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing

with notice, publication, and procedural requirements for zoning of property have been complied with; and

WHEREAS, upon review and consideration of the Planning and Zoning Commission following a public hearing at their meeting on November 28, 2023, the Planning and Zoning Commission recommended approval of the zoning change as provided herein; and

WHEREAS, a public hearing was held by the Town Council of the Town of Northlake on December 14, 2023 with respect to the zoning change described herein; and

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public interest to approve the zoning change request and establish a "RR-PD" Rural Residential Planned Development District on the Property.

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

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The 156.11-acre Property more fully described in Exhibit "A" shall be zoned "RR-PD" Rural Residential Planned Development with the concept plan as provided in Exhibit "B" and development standards as provided in Exhibit "C" attached hereto.

Section 3. The use of the Property described in Exhibit "A" shall be subject to all applicable regulations contained in the Development Standards provided in Exhibit "C", the Unified Development Code, and all other applicable and pertinent ordinances of the Town of Northlake.

Section 4. Any person, firm or corporation violating any of the provisions of this Ordinance shall be punished in accordance to Section 1.01.009 of the Town of Northlake Code of Ordinances, and no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

Section 5. 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 6. 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 7. 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 8. This Ordinance shall be in full force and effect from and after its passage and/or publication as required by law.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT A

The Faught Ranch property is comprised of two tracts totaling 156.11 acres.

Tract 1:

All that certain tract of land situated in the John F. James Survey, Abstract No. 1501, in the Town of Northlake, Denton County, Texas; being the remainder of a tract of land described in a deed to R. F. Faught, et ux, as recorded in Volume 897, Page 465 of the Deed Records of Denton County, Texas; the subject tract being more particularly described as follows:

Beginning at a PK Nail set in the intersection of Faught Road and Robson Ranch Road, at the northeast corner of said Faught Tract;

Thence South 00° 37' 41" East, with said east line of said Faught Road, a distance of 2764.51 feet to a PK Nail set for the northeast corner of a tract of land described in a deed to Charles F. Faught, et ux, as recorded in Volume 2033, Page 214 of the Real Property Records of Denton County, Texas;

Thence South 89° 22' 19" West, with the north line of said Charles F. Faught Tract, a distance of 295.16 feet to a ½" iron rod set, capped "KAZ";

Thence South 00° 37' 41" East, with the west line of said Charles F. Faught Tract, a distance of 295.16 feet to a ½" iron rod set, capped "KAZ";

Thence North 89° 22' 19" East, with the south line of said Charles F. Faught Tract, a distance of 295.16 feet to a PK Nail set in said Faught Road;

Thence South 00° 37' 41" East, with said Faught Road, a distance of 1387.55 feet to a PK Nail set in the intersection of Faught Road, on the north side of Evelyn Lane;

Thence South 89° 23' 44" West, with the north line of said Evelyn Lane, a distance of 1758.33 feet to a ½" iron rod set, capped "KAZ", in the east line of a tract of land described in a deed to Simpson Properties LLC, as recorded in Instrument No. 2017-61306 of said Real Property Records, Denton County, Texas;

Thence North 00° 21' 20" West, with said east line, along or near the center of Evelyn Lane, a distance of 1768.18 feet to a ½" iron rod set, capped "KAZ" for a south corner of a tract of land described in a deed to John J. Wolken, et ux, as recorded in Volume 1712, Page 39, of the Real Property Records of Denton County, Texas;

Thence North 55° 04' 20" East, with a south line of said Wolken Tract, a distance of 21.80 feet to a point at the base of a fence post;

Thence South 78° 49' 19" East, with a south line of said Wolken Tract, a distance of 185.51 feet to a ½" iron rod found, capped "4857" for the most easterly southeast corner of said Wolken Tract;

Thence North 00° 33' 59" West, with the east line of said Wolken Tract, a distance of 1074.55 feet to an "X" cut found in the south line of Block F, of the Stardust Ranch, Phase 1, an addition to Denton County, according to the plat thereof recorded in Instrument No. 2016-226 of the Plat Records of Denton County, Texas;

Thence North 89° 35' 17" East, with said south line, a distance of 284.49 feet to a ½" capped iron rod found for the southeast corner of said Block F;

Thence North 00° 35' 59" West, with said south line, passing a PK Nail found for the northeast corner of said Block F at a distance of 1592.49 feet, and continuing for a total distance of 1652.35 feet to a point in said Robson Ranch Road;

Thence South 89° 38' 22" East, with said Robson Ranch Road, a distance of 1264.04 feet to the place of beginning, and enclosing 154.11 acres of land, more or less.

Tract 2:

All that certain tract parcel or Land situated in the J. F. James Survey, Abstract 1501, Denton County, Texas, being part of the same (called) 197 acre tract designated as Homestead for W. R. Faught, et ux, dated December 15, 1927, and recorded in Volume 217, Page 108, Deed Records of said County, and being more particularly described as follows:

Beginning at a steel pin in a North-South road on the East Boundary Line of the James survey, being South 1 degree 10 seconds 01 minutes West 2764.51 feet from the Northeast corner of said James survey;

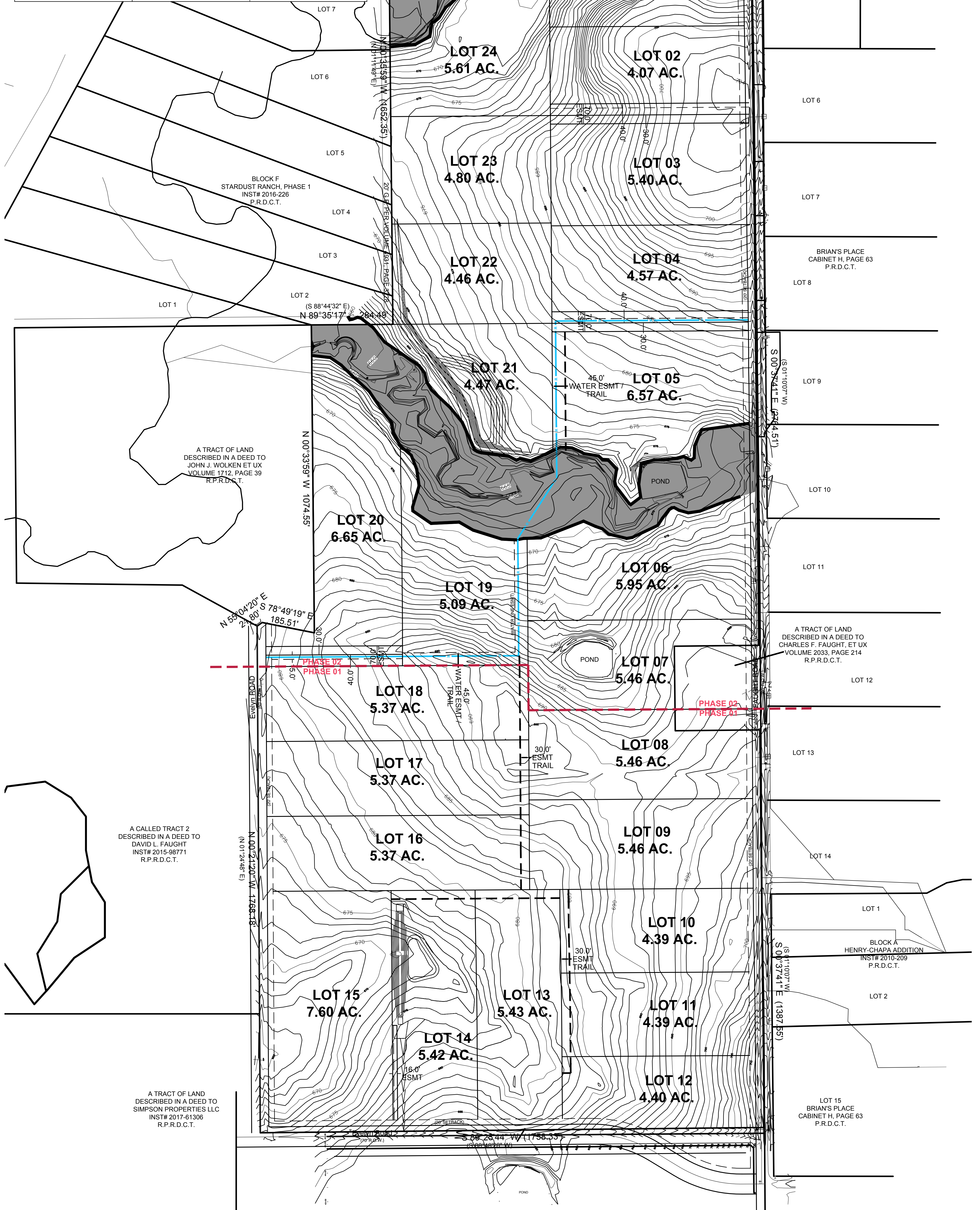
Thence South 1 degree 10 minutes 07 seconds West with said road 295.16 feet to a steel pin;

Thence North 88 degrees 49 minutes 53 seconds West, passing at 14.0 feet a steel pin in a fence on the West Boundary Line of said road and continuing in all 295.16 feet to a steel pin;

Thence North 1 degree 10 minutes 07 seconds East 295.16 feet to a steel pin,

Thence South 88 degrees 49 minutes East, passing at 279.56 feet a steel pin in a fence on the West Boundary Line of a North-South road and continuing in all 295.16 feet to the place of beginning, containing in all 2.000 acres of land.

Northlake Residential Lot Summary		
Type	Min. Lot Area	# of Units
4.0 AC.	174,240	10
5.0 AC.	217,800	16
	TOTAL:	26



Town of Northlake
Denton County, Texas

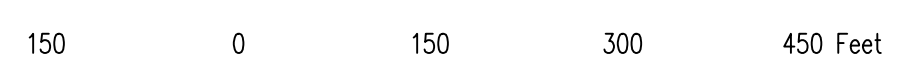


EXHIBIT C
Faught Ranch Development Standards
156.11 ACRES

Statement of Purpose and Intent

The intent of this Planned Development (PD) is to provide regulations for the development of a Rural Residential neighborhood known as Faught Ranch (the "Project") on 156.11 acres of land (the "Property") within the Town of Northlake, Texas (the "Town"). These regulations are intended to provide for the efficient development of the property in accordance with the Rural Residential zoning district standards with limited modifications. Except as modified or amended herein, this Planned Development shall conform to all applicable sections of the Town's Unified Development Code (the "UDC").

Project Location

The Project is located in the in the J. James Survey, Abstract No. 1501, generally located west of Faught Road between Evelyn Lane and Robson Ranch Road in the Town of Northlake, Denton County, Texas and is more fully described in the attached legal description (Exhibit A).

Development Standards

All development within the boundary of this Planned Development District shall adhere to the rules and regulations set forth herein. This zoning document and the Exhibits listed below supersede any existing zoning, use and development regulations for the tract of land described herein.

- Exhibit A Legal Description of Property
- Exhibit B Concept Plan

Development Regulations

1. Except as otherwise defined in this PD, terms used herein shall be the same as those found in the UDC as it exists or may be amended.
2. The base zoning for the Property shall comply with the Rural Residential (RR) zoning district in the UDC. In addition to the uses allowed by right under the Rural Residential (RR) zoning district, the following uses shall be permitted by right within the subject property:

Model Home

Sales Office

3. All development within this PD shall be subject to all applicable development standards of the UDC with the following modifications:

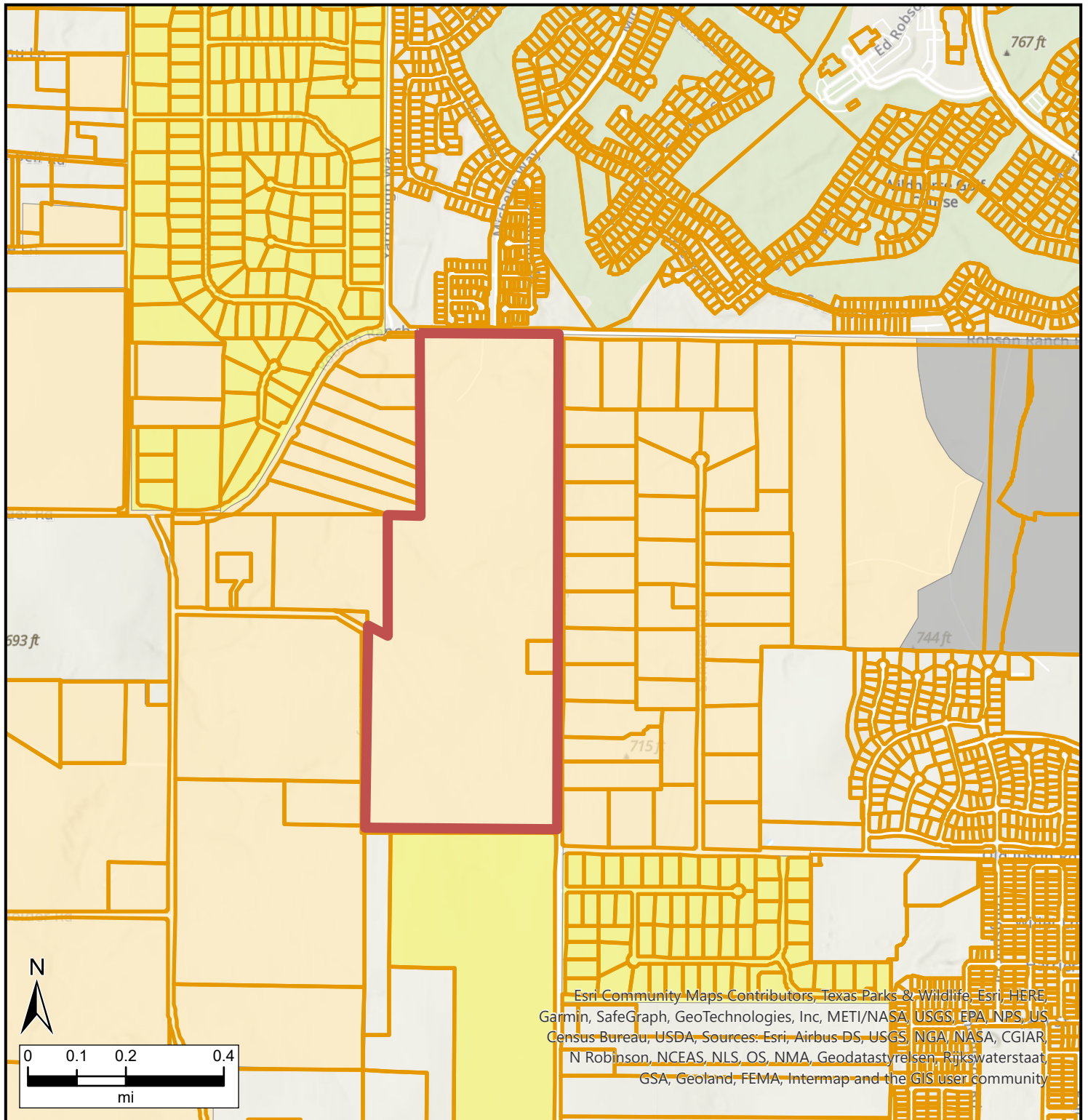
Section 5.6(Table 5.1) For RR zoning Minimum lot size is 4.0 acres and minimum lot width at build line is two hundred fifty (250) feet.

Section 13.5(A)(1) A minimum of one hundred (100) feet separation from the well bore hole to any property line shall be required.

Section 13.5(A)(4) A minimum of eighty (80) feet separation from any gas well collection pipeline to the closest buildable portion of a lot.

4. In the event of any conflict between this PD and any other ordinance, rule, regulation, standard, policy, order, guideline or other Town-adopted or Town-enforced requirement, whether existing on the effective date or hereinafter adopted by the Town (collectively, "Town Zoning Ordinances and Regulations"), this PD shall prevail and control. All Town Zoning Ordinances and Regulations that are inconsistent with the terms and provisions of this PD are hereby made inapplicable to the Property.

Northlake



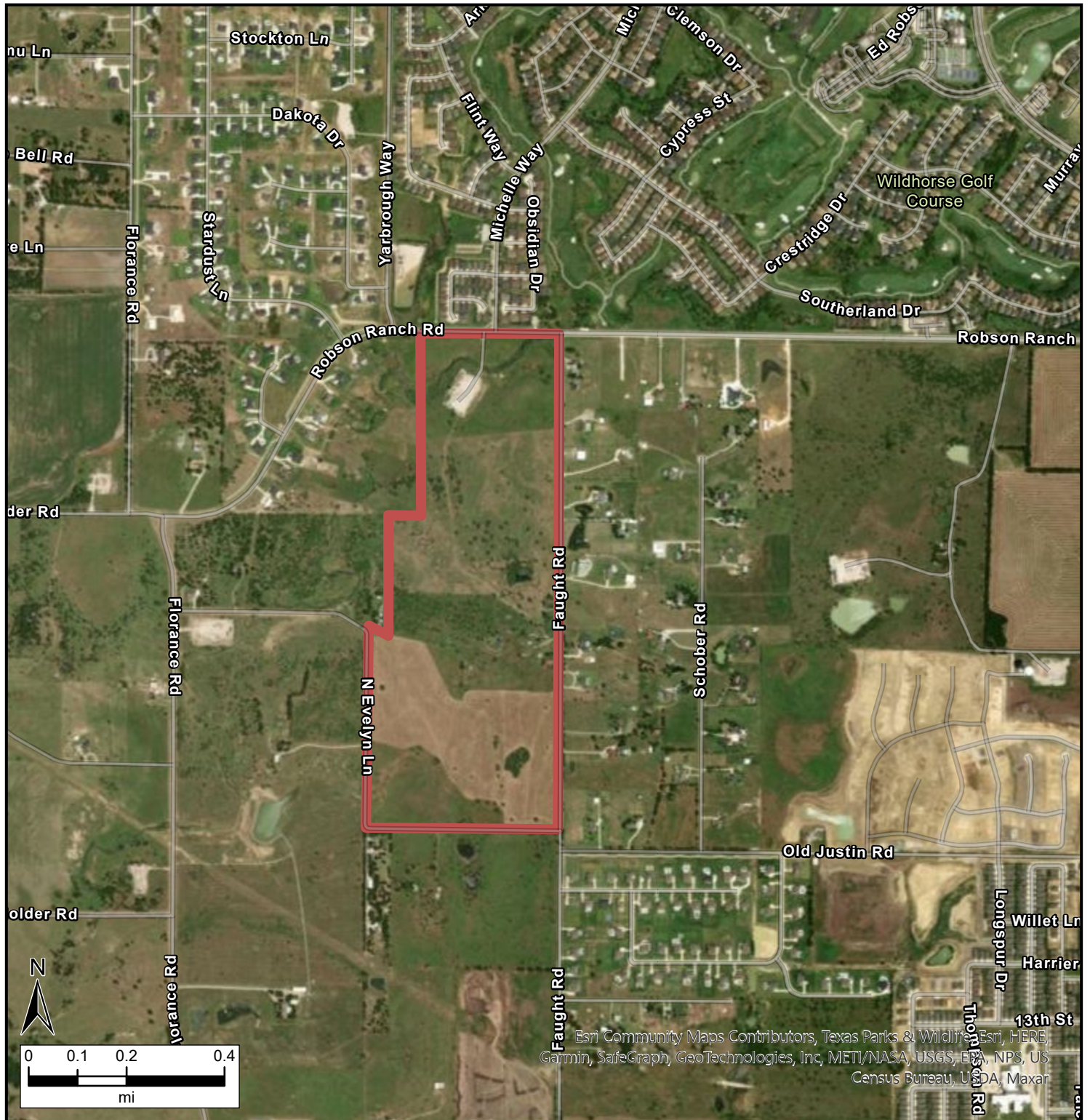
Legend

 Parcels	 Industrial\Planned Development
Town of Northlake Zoning	 Mixed-Use\Planned Development
 Commercial	 HUD Code Manufactured Housing
 Commerical\Planned Development	 Rural Residential min 5 ac
 Neighborhood Commercial	 Rural Estate min 1 ac
 Industrial	 Rural Estate\Planned Development min 1 ac
	 Agricultural



Date: 11/15/2023

Northlake



Legend

November 2, 2023

Town of Northlake
1700 Commons Circle, Suite 200
Northlake, TX 76226

Re: Proposal to re-zone the Faught Property described in Exhibit A from RR to RR-PD.

To The Town of Northlake:

Please accept this letter exhibiting Faught Rd Ranch LLC's intent to change the zoning of the Property, described by metes and bounds on Exhibit A attached, to RR PD – Rural Residential Planned Development. The purpose of re-zoning is to reflect modifications to the existing RR zoning as outlined in the Development Agreement between Faught Rd Ranch LLC and The Town of Northlake as passed and approved by the Town Council on November 10th 2022 .

Changes to zoning outlined in the Development Agreement:

- * Section 13.5(A)(1) A minimum of one hundred (100) feet separation from the well bore hole to any property line shall be required.
- * Section 13.5(A)(4) A minimum of eighty (80) feet separation from any gas well collection pipe line to the closest buildable portion of a lot.
- * Section 5.6(Table 5.1) For RR zoning - Minimum lot size is 4.0 acres.
- * Section 5.6(Table 5.1) For RR zoning - Minimum lot width at build line is two hundred fifty (250) feet.
- * Development standards applicable to Rural Residential (RR) zoning district set out in the UDC as of the Effective Date, with the additional permitted uses of model home and sales office and a minimum gross lot size of 4.0 acres

Sincerely,

Eric Broadaway
Manager
Faught Rd Ranch LLC



NOTIFICATION RESPONSE FORM

CASE INFORMATION

Public Hearing Dates: P&Z – November 28, 2023, 5:30 pm; Town Council – December 14, 2023, 5:30 pm
Case Type: Planned Development Zoning Change
Case Name: Faught Ranch
Case #: PD-23-0006

WRITTEN RESPONSE

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

Comments (optional):

Signature: [Signature]

Date: 11-27-23

Printed Name: CHAS UREN

Address: 6275 Faught Rd

City/State/ZIP: Northlake TX 76226

Phone number: 4787479034

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

Nathan Reddin, Development Director

Email: nreddin@town.northlake.tx.us

Phone: 940-242-5703

Fax: 940-648-0363

Address:

1700 Commons Circle Ste. 200

Northlake, Texas 76226

FOR OFFICE USE ONLY

Stamp Received

Property within notification area: ☐ Yes ☐ No

Property ID: _____

Property Size: _____



NOTIFICATION RESPONSE FORM

CASE INFORMATION

Public Hearing Dates: P&Z – November 28, 2023, 5:30 pm; Town Council – December 14, 2023, 5:30 pm
Case Type: Planned Development Zoning Change
Case Name: Faught Ranch
Case #: PD-23-0006

WRITTEN RESPONSE

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

Comments (optional):

Signature: Daniel Dodd Kathryn Dodd Date: 11-29-2023
Printed Name: Daniel Dodd (& Kathryn Dodd)
Address: 7401 Evelyn Ln City/State/ZIP: Northlake, TX 76247
Phone number: 469-514-5297

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
Nathan Reddin, Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1700 Commons Circle Ste. 200
Northlake, Texas 76226

FOR OFFICE USE ONLY

Stamp Received

Property within notification area: ☒ Yes ☐ No

Property ID: _____

Property Size: _____



NOTIFICATION RESPONSE FORM

CASE INFORMATION

Public Hearing Dates: P&Z – November 28, 2023, 5:30 pm; Town Council – December 14, 2023, 5:30 pm
Case Type: Planned Development Zoning Change
Case Name: Faught Ranch
Case #: PD-23-0006

WRITTEN RESPONSE

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

Comments (optional):

Give an inch + They will take a mile. We were told
5 acres minimum to match across the street + it
should stay that way.

I believe to get/keep as it has to be 5 acres.

Signature: [Signature] Date: 11/28/2023
Printed Name: Vesley McKinley
Address: 6715 Faught Rd City/State/ZIP: Northlake, TX 76226
Phone number: 817-614-8556

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
Nathan Reddin, Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1700 Commons Circle Ste. 200
Northlake, Texas 76226

FOR OFFICE USE ONLY

Stamp Received

Property within notification area: ☐ Yes ☐ No

Property ID: _____

Property Size: _____



NOTIFICATION RESPONSE FORM

CASE INFORMATION

Public Hearing Dates: P&Z – November 28, 2023, 5:30 pm; Town Council – December 14, 2023, 5:30 pm
Case Type: Planned Development Zoning Change
Case Name: Faught Ranch
Case #: PD-23-0006

WRITTEN RESPONSE

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

Comments (optional):

I believe the current CRD district zoning should remain in place. I respectfully ask that no zoning change be granted because of traffic and density concerns.
Thank you

Signature: Monica Muns Date: 11-28-23
Printed Name: Monica Muns
Address: 6155 Faught Rd City/State/ZIP: Northlake TX
Phone number: _____ 76226

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
Nathan Reddin, Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1700 Commons Circle Ste. 200
Northlake, Texas 76226

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

Stamp Received

Property within notification area: ☐ Yes ☐ No
Property ID: _____
Property Size: _____



NOTIFICATION RESPONSE FORM

CASE INFORMATION

Public Hearing Dates: P&Z – November 28, 2023, 5:30 pm; Town Council – December 14, 2023, 5:30 pm
Case Type: Planned Development Zoning Change
Case Name: Faught Ranch
Case #: PD-23-0006

WRITTEN RESPONSE

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

Comments (optional):

I AM OPPOSED TO THE 4 ACRE LOT SIZE. I FEEL THE 5 ACRE MINIMUM FOR RURAL RESIDENTIAL HAS BEEN ESTABLISHED & SHOULD BE MAINTAINED.

Signature: Troy Davis

Date: 11/28/23

Printed Name: TROY DAVIS

Address: 10675 FAUGHT RD.

City/State/ZIP: NORTH LAKE, TX. 76226

Phone number: 940-391-0136

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
Nathan Reddin, Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1700 Commons Circle Ste. 200
Northlake, Texas 76226

FOR OFFICE USE ONLY

Stamp Received

Property within notification area: ☐ Yes ☐ No

Property ID: _____

Property Size: _____

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Unified Development Code (UDC)

SUBJECT: Consider an Ordinance to amend Ordinance No. 17-1214A, the Mixed-Use Planned Development (MPD) zoning district applicable to approximately 1.53 acres of land in the G.W. Shamblin Survey, Abstract No. 1191, bounded by IH 35W on the north and west, Old Elizabethtown Road on the east, and vacant land in the extraterritorial jurisdiction of the Town of Northlake on the south. Case # PD-23-007

- i. Public Hearing
- ii. Consider Approval

GOALS/ OBJECTIVES: Define Future Amenities/Define and identify "iconic" amenities

BACKGROUND INFORMATION:

Site: Approximately 1.53 acres of land in the G.W. Shamblin Survey, Abstract No. 1191, bounded by IH 35W on the north and west, Old Elizabethtown Road on the east in the Town of Northlake

Owner: Northlake Lodging Development Inc.

Applicant/Developer: MazeWorxs, LLC

Current Zoning: Mixed-Use Planned Development (MPD)

Proposed Amendment: The MPD for this site was approved in 2017 to align the zoning with adjacent property to the north with IH 35W frontage. The owner of the property planned to build a hotel on the site and received site plan approval for a 61-room hotel in December 2019, but the hotel has yet to be developed due to effects of the pandemic on the hospitality industry and difficulty in financing a hotel in the current economic environment. The purpose of this amendment is to provide for an interim use of the site prior to full development. The site contains a metal building once used as a Church, but it has been vacant for many years.

The applicant proposes to construct an outdoor maze to be open to the public and serve as a demonstration of MazeWorXs mazes to be sold for construction on other sites. In addition, the applicant proposes to clean and repair the existing building for use as an office and warehouse for the purpose of preparing MazeWorXs' mazes to be shipped across the country. See the following attachments for more information on the request:

- Exhibit 1 - Zoning/Location Map
- Exhibit 2 - Aerial Map
- Exhibit 3 - Proposed amendments to MPD
- Exhibit 4 - Proposed concept plan
- Exhibit 5 - Supplemental information

Future Land Use Map:	Workforce Residential (WR) – This area caters to a range of workers from contractors to executives. Hotels, apartments, condos, mixed-use developments both horizontal and vertical are all appropriate in this area. Horizontal mixed-uses would have residential dwellings within 800 feet. One would also expect to see neighborhood services, retail, commercial, and professional services offices in the area. Highway Corridors - Generally, these corridors can accommodate heavier commercial and light industrial uses. Depending on the context of nearby uses, high density residential such as apartments, condos, or mixed-use developments would be appropriate as well.
Staff Analysis:	Subject to specifics within the request regarding the temporary use proposed, the request fits with the future land use designation of the Northlake Comprehensive Plan The planned development amendment application is acceptable for consideration. A draft ordinance to adopt the amendment is attached.
Public Hearing:	A public hearing is required prior to acting on the zoning change request. Public hearing notices were mailed to Northlake property owners within 200 feet, signs posted, and notice was published in the Denton Record Chronicle and on the Town's website. As of December 8th no written comments have been received.
P&Z Action:	• November 28 meeting ○ Held public hearing with no speakers for or against ○ Recommended approval of PD amendment as presented

COUNCIL ACTION/DIRECTION:

- Hold public hearing
- Approve, approve with conditions, or disapprove of planned development amendment



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING ORDINANCE NO. 17-1214A, BEING A MIXED-USE PLANNED DEVELOPMENT ZONING DISTRICT FOR A 1.53-ACRE TRACT OF LAND SITUATED IN THE G.W. SHAMBLIN SURVEY, ABSTRACT NO. 1191, IN THE TOWN OF NORTHLAKE, REVISING THE DEVELOPMENT STANDARDS TO PROVIDE FOR A TEMPORARY USE OF THE PROPERTY; 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, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 17-1214A establishing the zoning of Mixed-Use Planned Development "MPD" for 1.53 acres of land in the G.W. Shamblin Survey, Abstract No. 1191, in the Town of Northlake, Denton County, Texas; and

WHEREAS, the Town of Northlake has received a request to amend the MPD by revising the development standards to provide for a temporary use of the property; and

WHEREAS, the Town of Northlake heretofore adopted Ordinance No. 16-1208E on December 12, 2016, The Pathway to 2040 Northlake Comprehensive Plan Update, and the requested amendments comply with recommendations of the plan; and

WHEREAS, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for zoning of property have been complied with; and

WHEREAS, upon review and consideration of the Planning and Zoning Commission following a public hearing at their meeting on November 28, 2023, the Planning and Zoning Commission recommended approval of the amendment as provided herein; and

WHEREAS, a public hearing was held by the Town Council of the Town of Northlake on December 14, 2023 with respect to the amendment described herein; and

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public

interest to approve the requested amendments to Ordinance No. 17-1214A reflected herein and on the exhibits attached hereto.

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

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section #. Mixed-Use Planned Development District "MPD" Ordinance No. 17-1214A is hereby amended for the Property described in Exhibit A so that henceforth and hereafter the Planned Development regulations shall be amended as provided in Exhibit B. The Property shall be developed and used in accordance with the Planned Development Standards and exhibits in Exhibit "B" which is hereby approved. All requirements and regulations not addressed in the text of the Planned Development regulations shall be subject to the regulations contained in the Unified Development Code of the Town of Northlake, Texas and all other applicable and pertinent ordinances of the Town of Northlake.

Section 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall be punished in accordance to Section 1.01.009 of the Town of Northlake Code of Ordinances, and no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

Section 4. 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 5. 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 6. 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 7. This Ordinance shall be in full force and effect from and after its passage and/or publication as required by law.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT "A"

LEGAL DESCRIPTION

Being G.W. Shamblin Survey, Abstract No. 1191, Denton County, Texas, being that same tract of land conveyed to Independence Holiness Church by Warranty Deed recorded in Volume 2751, Page 26, Deed Records, Denton County, Texas, less that tract of land conveyed to the State of Texas by Case No. PR-2016-00575 recorded in Instrument No. 2017-66147, Official Public Records, Denton County, Texas, and the remainder being more particularly described by metes and bounds as follows:

BEGINNING at a Aluminium monument stamped "TXDOT" found at the intersection of the Southeast right-of-way line of Interstate Highway 35W (variable width right-of-way) and the West right-of-way line of Elizabeth Town Cemetery Road (public right-of-way);

THENCE South 00 degrees 28 minutes 00 seconds West, along said West right-of-way line of Elizabeth Town Cemetery Road, a distance of 419.00 feet to a 1/2 inch iron rod found at the Northeast corner of a tract of land conveyed to Puskoor M. Kumar, Trustee of the Puskoor M. Kumar Irrevocable Trust by Deed recorded in Instrument No. 2014-37967, Official Public Records, Denton County, Texas;

THENCE North 84 degrees 33 minutes 12 seconds West, along the North line of said Kumar tract, a distance of 292.51 feet to a 5/8 inch iron rod found on the aforementioned Southeast right-of-way line of Interstate Highway 35W;

THENCE leaving said North line of Kumar tract and traversing along said Southeast right-of-way line of Interstate Highway 35W as follows:

North 30 degrees 21 minutes 45 seconds East, a distance of 11.24 feet to a point for corner at the beginning of a curve to the right with a radius of 6,463.33 feet, a delta of 02 degrees 28 minutes 56 seconds and a chord bearing and distance of North 32 degrees 10 minutes 31 seconds East, a distance of 280.00 feet;

Northeasterly along said curve to the right, passing at an arc length of 254.48 feet, a 3 inch aluminium monument stamped "TXDOT" found for reference on line, and having a total distance of 280.02 feet to a 5/8 inch iron rod found for corner;

North 42 degrees 37 minutes 13 seconds East, a distance of 196.41 feet to the POINT OF BEGINNING and containing 66,507 square feet or 1.53 acres of land.

EXHIBIT “B”

DEVELOPMENT STANDARDS

1. Purpose

To provide for development requirements and limited uses unique to a planned development with similar standards and uses compatible with the adjacent Mixed-Use Planned Development zoning district.

2. Limit of Planned Development

The limits of this planned development are defined by the legal description provided in Exhibit “A”.

3. Exterior Appearance and Maintenance

- A. Mechanical equipment mounted on the roof of any building or structure shall be screened, or, if possible, hidden entirely by a parapet wall so as not to be seen from ground level public spaces.
- B. Free standing building blocks visible from parking lots or public streets on any side shall be architecturally finished on such side.
- C. Exterior finishes shall be masonry or other material subject to the prior approval of the Town Council. No metal roofs shall be permitted; provided, however, standing seam metal roofs are permitted if shown and approved on the site plan.
- D. A maximum building height of five (5) stories exclusive of the building fascias, arcades, awnings, or canopies.
- E. No building shall be erected within twenty-five (25) feet from the front property line along IH 35W, or within ten (10) feet from the side or rear property line, including along Old Elizabethtown Road.

4. Utility and Service Areas

- A. All utility services to a Lot shall be installed underground and no overhead wires shall be permitted on the Lots. Service courts, transformers, and loading docks shall be screened from view or enclosed within the buildings and service facilities, including trash enclosures, shall not be visible from any motor parking lot or public street.
- B. The materials used for screening of service courts and loading docks on a Lot must incorporate the same exterior building materials as used in the building on such Lot and the height of the screening shall be a minimum of six (6) feet.

- C. No wood fences, open metal railings, hadite brick or cyclone fences are permitted as screening devices; except, however, wood gates for screened areas are permitted.

5. Property Access

- A. No curb cut or driveway approach shall be permitted within thirty (30) feet of any intersection of public streets.
- B. Cross access easements shall be provided to permit free access on adjoining Lots and minimize driveways. Cross access easements shall remain clear and accessible to adjoining Lots save and except for reasonable periods of time as may be necessary for maintenance, repair, or rebuilding purposes.

6. Landscape Standards

- A. Land not used for buildings, parking, service areas, and driveways shall be devoted to landscaped open space, but such space may contain walkways for pedestrian circulation and some signage elements as provided herein but no utilitarian service elements such as transformers, trash, storage, etc.
- B. All landscaped areas shall have automatic irrigation systems.
- C. Landscaping within mandatory setback zones along public street frontages shall be bermed with the height of berms not to exceed twenty-four (24) inches above natural grade.
- D. All landscaped areas not planted in ground cover or shrub beds shall be hydro seeded or sodded with either common bermuda grass (*Cynodod Datcylon*) or Tifnay 419 (Hybrid bermuda). Annual rye grass may be substituted during the winter months, but must be over seeded with Bermuda the following spring.
- E. Rows of trees shall be planted at thirty-five (35) foot centers along all public street frontages, with each street tree having a minimum caliper of three (3) inches when measured three (3) feet above ground level after planting.
- F. Landscape materials of at least the specified size, if any is so specified, shall be selected from the list attached hereto as Attachment A and incorporated herein for all purposes.

7. Sign Restrictions

- A. Lot Signage: A Lot containing a building with two (2) stories or less may have either one (1) pole/pylon sign or one (1) monument sign subject to the following restrictions. A Lot containing a building with more than two (2) stories may have one (1) monument sign only subject to the following restrictions:

1. Pole/Pylon signs shall meet the standards for such signs outlined in Article 11 of the Northlake Unified Development Code as amended.
2. Monument signs shall meet the standards for such signs outlined in Article 11 of the Northlake Unified Development Code as amended.

B. Building Signage:

1. All building signage shall be mounted on the building fascias, sign bands, arcades, awnings, or canopies.
 2. No signage of any type shall be mounted above the top of the fascia line of any building with the exception of special signage towers or walls that are part of the overall architectural design of the project in which same are incorporated.
- C. Signs Prohibited:** No sign of a flashing or moving character shall be installed or placed on any Lot. No portable signs or signs on motor vehicles are permitted to be placed on any Lot at any time.

8. Lighting Standards

- A. Attractive and efficient lighting fixtures (metal halide) shall be installed on each Lot which adequately light the Lot and do not, to the extent reasonably possible, cause light to spillover onto adjacent properties or Lots.
- B. Parking Lots: The light standards in parking lots are limited to thirty (30) feet in height and may not be wooden poles.

9. Parking and Driveways

- A. All parking areas shall be graded, curbed, guttered, and paved with concrete.
- B. Each Lot shall contain, at a minimum, an amount of parking spaces equivalent to the greater of:
 1. The number of spaces required by the Town of Northlake; or
 2. The number of spaces on the approved site plan.
- C. No on-street parking shall be permitted on any public street.
- D. Driveway width shall be no less than twenty-four (24) feet and no more than thirty-five (35) feet.
- E. Parking is permitted within the front yard setback as long as sufficient area is preserved to provide for all required landscaping along a street frontage.

10. Use Restrictions

A. Permitted Uses. The following uses are permitted on any Lot:

Hotel, motel lodging;

Restaurants including carry out, drive through service, and dine in; Retail;

and

Office

B. Prohibited Uses. Any use not listed as a permitted use shall be prohibited.

C. Temporary Uses. Temporary Uses are permitted subject to requirements of Sec. 5.12 of the Unified Development Code (UDC) for Temporary Use Permits (TUPs). In addition, the following temporary use shall be allowed for a maximum of five years with approval of a TUP and subject to the following exceptions listed.

1. Outdoor maze open to the public with related private warehouse/ office in existing building on site and limited temporary storage on site. The use may be allowed to extend beyond five years with approval of a Specific Use Permit (SUP). However, exceptions listed below shall not apply unless included in SUP approval.

2. The use listed above is subject to the following exceptions to listed development standards requirements in this ordinance. All temporary improvements subject to these exceptions shall be removed upon expiration of TUP.

3C.). The existing metal roof on the building will remain.

4A.). CoServ overhead lines currently exist on the site and will remain.

4B.). All material used will be metal or wood.

4C.). Existing Chain link fence will be repaired but remain.

5B.). Cross-access not necessary for temporary use.

6C., D., E., F.). Limited landscaping due to temporary nature of use.

9A.). Parking/driveways will be finished in gravel for the term of the permit.

9B.). Parking spaces to be provided per TUP site plan.

9E.). Landscaping will be omitted for the term of the TUP.

Add 11.). Fence along I35 Frontage Road. Open fence made of 4X4 wood posts, painted white set on 10'OC and rising 3' to a 4X4 cap that connects the posts to the main entry. Then (2) 12' gates that are lockable for the main entry.

Add 12.). Staging Cubicles for Storage along the south line of the property. 120' X 15' and 12' in height sloped 1' to the back property line. Faced with the same siding as the maze with swing doors in each berth comprised of the same siding as the maze.

Add 13.). (2) Temporary ADA Restrooms added next to the building restrooms. Restrooms will be used by patrons and staff for term of TUP.

Restrooms will be serviced regularly but not be tied to building sanitation system.

Attachment A, Landscape Materials

TREES

Live Oak
Shumard Red Oak
Bur Oak
Cedar Elm
Green Ash (Seedless Variety)
Eldarica Pine – minimum 5 feet (5') in height
Japanese Black Pine – minimum 5 feet (5') in height
Tree Crepe myrtle – minimum six feet (6') in height
Aristocrat Pear
Yaupon Holly – minimum six feet (6') in height
Fosters Holly
Savannah Holly

SHRUBS

Dwarf Burford Holly – 1 gal. minimum
Burford Holly – 5 gal. minimum
Carissa Holly – 1 gal. minimum
Dwarf Yaupon Holly – 1 gal. minimum
Photinia – 5 gal. minimum
Indian Hawthorn – 1 gal. Minimum
Nandina Domestica "Compacta"
Nandina "Harbor Dwarf"
Nandina "Gulf Stream"
Abelia "Edward Goucher"
Eleagnus
Nellie R. Stevens Holly
Tam Juniper
Texas Sage

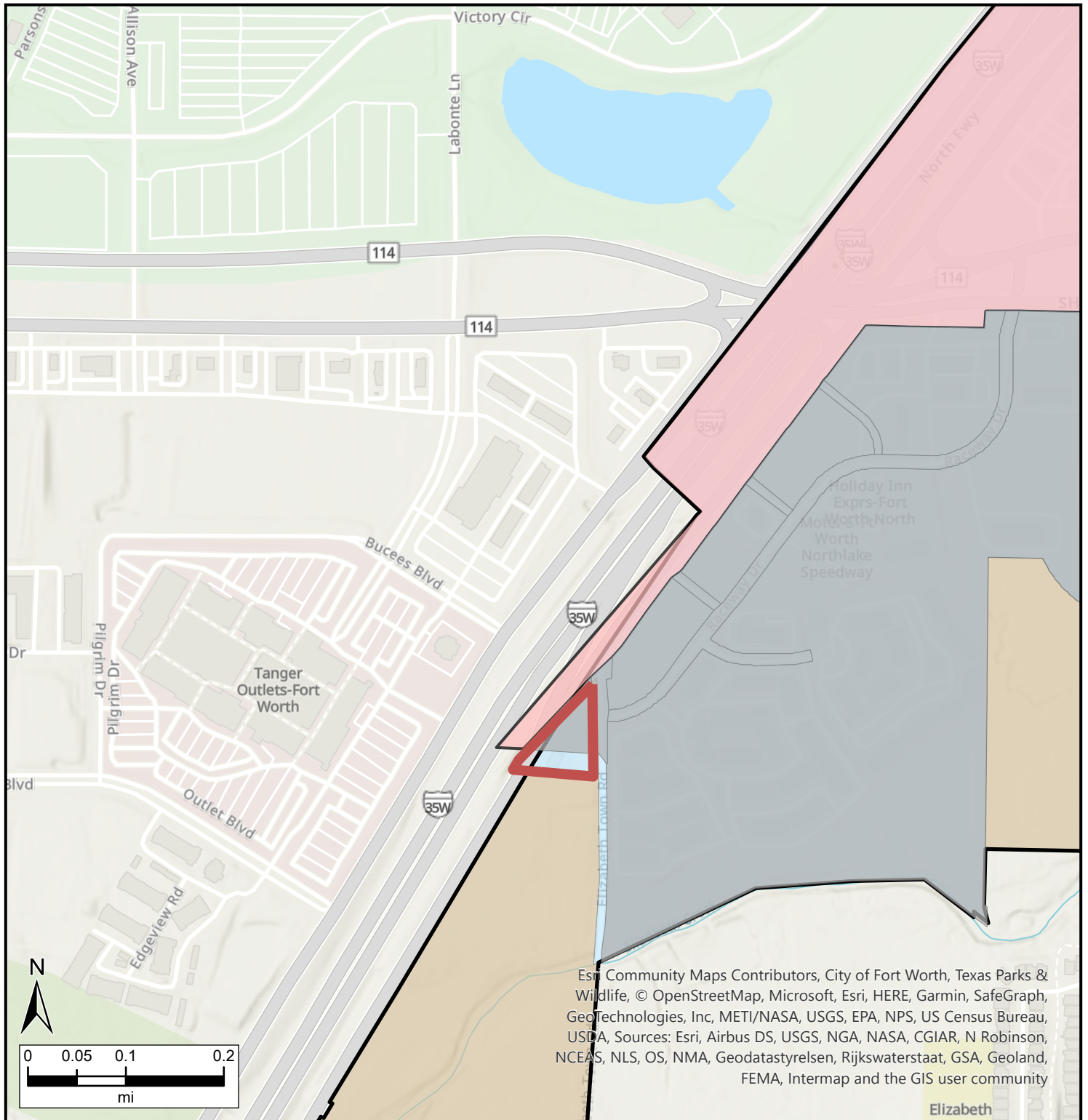
GROUND COVER

Asian Jasmine
Liriope
Mondo Grass
Purple Wintercreeper
Juniper "Bar Harbor"

GRASS

Bermuda Grass
St. Augustine Grass
Annual Rye Grass (Temporary cover during winter season)

Northlake



Legend

Town of Northlake Zoning

- Commercial
- Commerical\Planned Development
- Neighborhood Commercial
- Industrial
- Industrial\Planned Development
- Mixed-Use\Planned Development
- HUD Code Manufactured Housing
- Rural Residential min 5 ac

- Rural Estate min 1 ac
- Rural Estate\Planned Development min 1 ac
- Agricultural
- Northlake Boundary

Town of Northlake Incorporated Area and ETJ

- Incorporated Area
- Extraterritorial Jurisdiction
- Limited Purposes Annexation



Date: 11/16/2023

Northlake



Legend

Town of Northlake Planning & Zoning Board

Supporting Information on Planned Development Amendment, PD # 23-007

Mixed Use Development of 1.53 Acres, GW Shambling Survey, Abstract No. 1191, Denton County also known as;

13900 Old Elizabethtown Rd., Northlake, TX 76262

The owner of Northlake Lodging Development seeks to postpone his hotel development of the 1.53 Acres and has entered into a Letter of Intent to lease the property for a period of five (5) years to MazeWorXs, LLC, a Texas company (MazeWorXs).

MazeWorXs seeks approval from the Town of Northlake to amend the approvals granted on the 14th day of December, 2017 to include the temporary use of the property for the purpose of building and operating the property as MazeWorXs maze, open to the public.

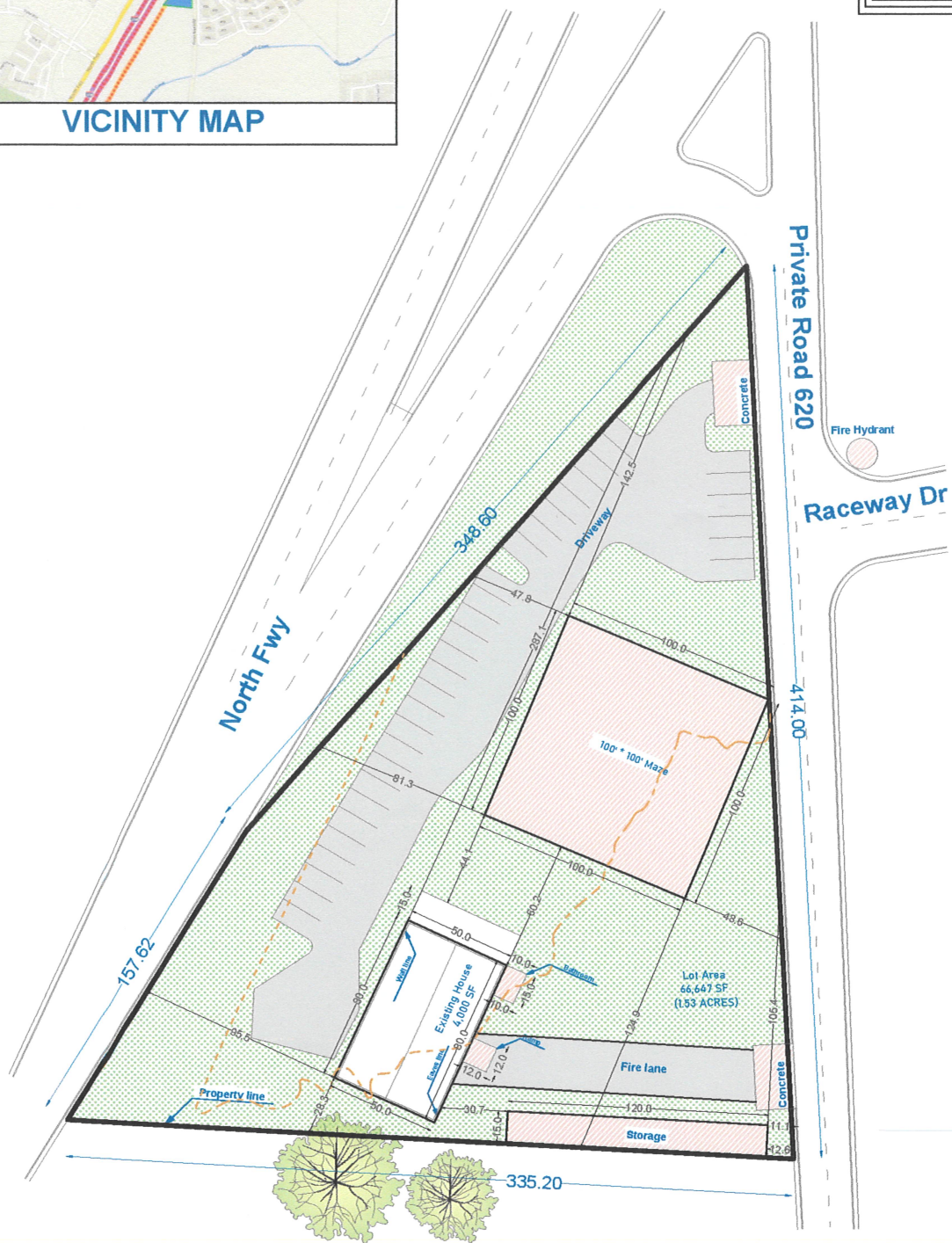
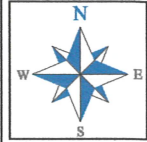
MazeWorXs will clean and repair the existing 4,000 sf metal bldg for the use as an office and warehouse for the purpose of preparing MazeWorXs' mazes to be shipped across the USA.

MazeWorXs will build a 100' X 100' maze on the property to attract customers throughout Texas and the United States.

DEVELOPMENT STANDARDS:

MazeWorXs seeks to modify the following Development Standards to accommodate the intended use for a period of five (5) years.

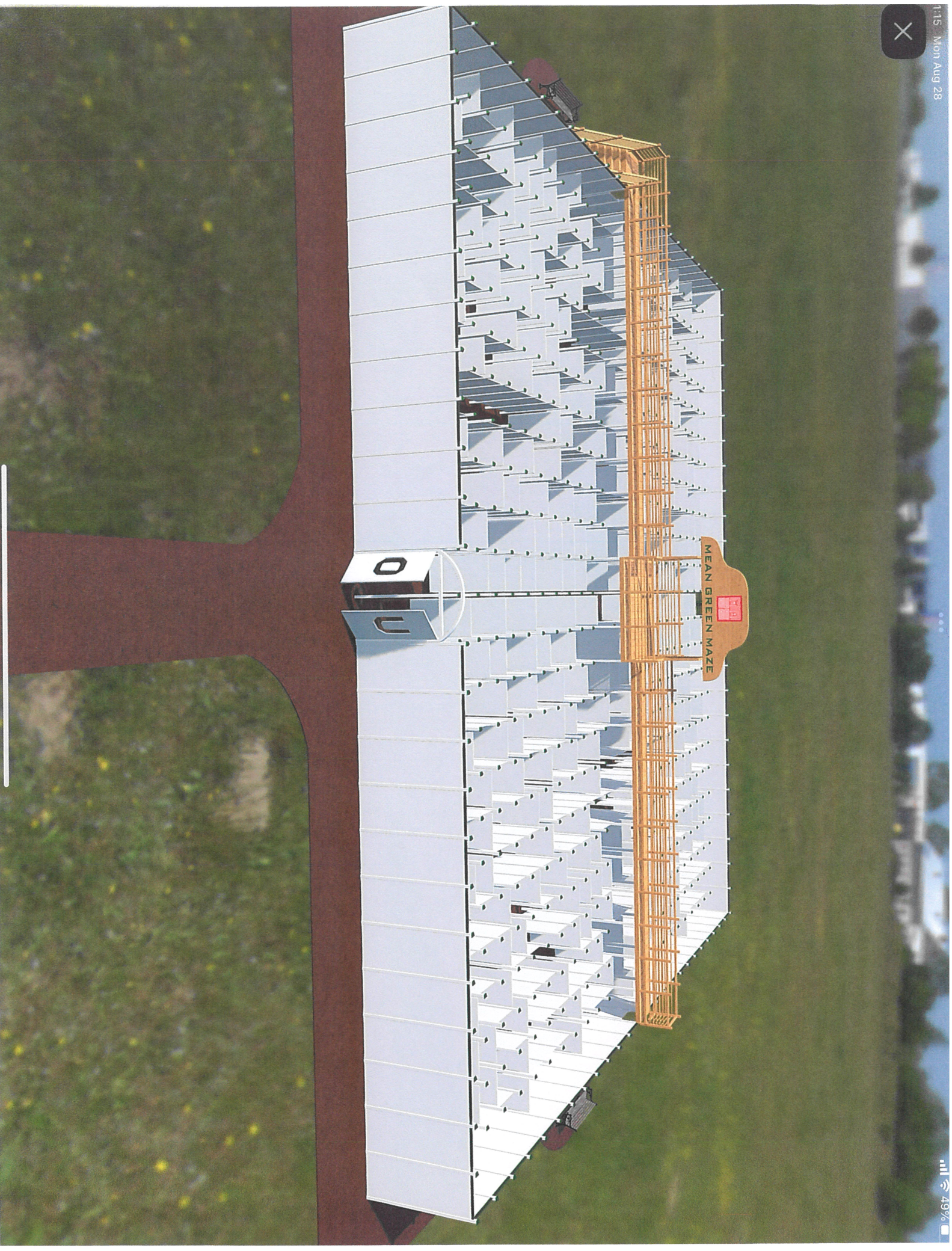
- 3C.). The existing metal roof on the building will remain.
- 4A.). CoServe overhead lines currently exist on the Site and will remain.
- 4B.). All material used will be metal or wood.
- 4C.). Existing Chain link fence along Elizabethtown Rd. Will be repaired but remain.
- 5B.). No cross-access agreements exist on the property.
- 6C., D., E., F.). Limited landscape due to lot usage and visibility.
- 9A.). Parking and driveways will be finished in gravel for the term of the five (5) year Amendment.
- 9B.). 32 parking spaces as per Site Plan.
- 9E.). Landscaping will be omitted for the term of the five (5) year Amendment.
- 10A.). Expanded use to include MazeWorXs Office/Warehouse/Staging Storage.
- 10B.). Expand to use of Maize Operations to the Public.
- 11.). Fence along I35 Frontage Road. Open fence made of 4X4 wood posts, painted white set on 10'OC and rising 3' to a 4X4 cap that connects the posts to the main entry. Then (2) 12' gates that are lockable for the main entry.
- 12.). Staging Cubicles for Storage along the south line of the property. 120' X 15' and 12' in height sloped 1' to the back property line. Faced with the same siding as the maze with swing doors in each berth comprised of the same siding as the maze.
- 13.). (2) ADA Restrooms added next to the building (see Site Plan) restrooms will be leased from a local company that supplies the service to restrooms on a weekly or as needed basis. Restrooms will be used by patrons and staff for the length of the lease term. Restrooms will not be tied to building sanitation system.



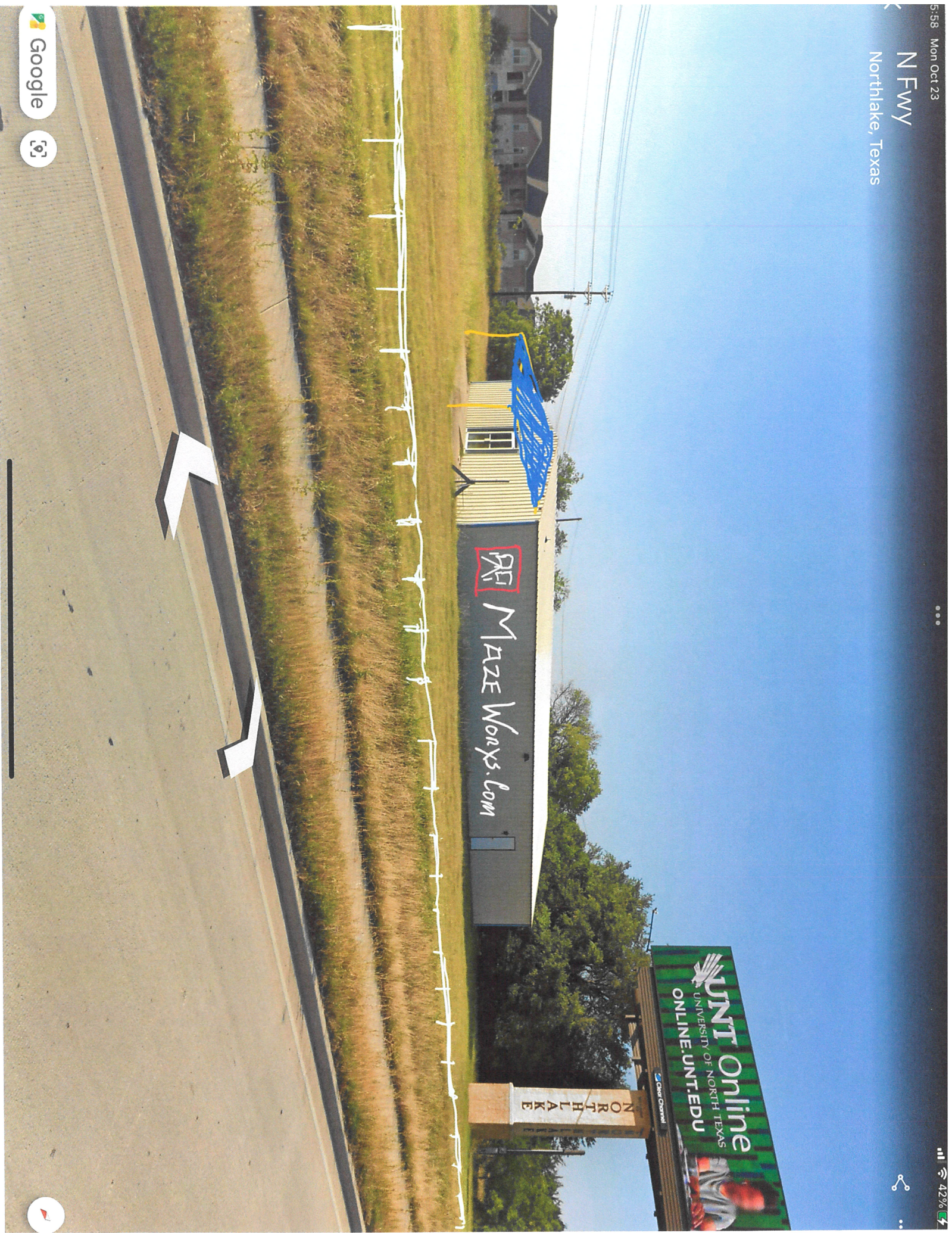
 **Date: 3rd of November 2023**
Scale: 1"=50'

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE.
This work product represents only generalized locations of features, objects or
boundaries and should not be relied upon as being legally authoritative for the
precise location of any feature, object or boundary.

1- MazeWorXs, LLC is vested in the property by agreement with Northlake Lodging.



N Fwy
Northlake, Texas



MazeWorXs

The Incredible Changeable Maze

Pre-Development Meeting on 13861 Raceway Dr.

Northlake, TX 76262

History: The Etruscans and the Romans had early mazes and they were called labrynth, referred to in ancient history in Ancient Greek Mythology and later used during the Roman Empire post Jesus Christ as spiritual hideouts during Christian persecutions. The aristocrats and land barons in 1700 & 1800s erected large forms of entertainment like hedge mazes, large lawn chess pieces to entertain their guest. There are still about 120 mazes that can be toured to this day in England.

The Americans saw the mazes as unnecessary and only a few have been built over the years. Select farms cut out crops to insert maze routing only as a fall event but none on a large scale, replicatable, and none that are changeable.

MazeWorXs has endeavored to establish a Maze design and utility that selects all the advantages of ancient Maze possibilities and combine those with a history of GenXers and GenZ folks that have been building a maze product virtually through MineCraft and other active games and platforms.

MazeWorXs has developed a maze that is changeable monthly with new algorithms that make the Maze more intriguing and the Maze Runner program increases competition by running the maze for time. A timing device is included in each maze that allows the competitor to run the new maze configuration for a week, once a month for time, and again next month and so on, with the advent of sponsors and prizes makes for interest and a following.

We have "Head toHead" match races each month against your BFF or your spouse or your buddy for bragging rights along with training for kids and adults alike in leadership and sharpening your skill set on being resolution conscious and learning how to define confusion and creating a resolution from seemingly endless frustration created by the maze. Walk through with kids and families out for an activity on the weekends or enjoying how we theme the Maze and celebrate Easter, Veterans & Memorial Days, Easter, Halloween, Fourth of July, and Christmas in celebrating life and community.

MazeWorXs has a Patent Pending for National protection as our system grows. We seek to open our beta site at 13861 Raceway Dr., Northlake, TX 76262.

MazeWorXs, LLC's Managing Executive Director is Richard Hand. Richard has designed and developed the maze systems and has a competitive background. Richard is the father of six and enjoyed raising kids more than anything in his life, being able to be in a position to help raise kids to be respectful with a genuine concern for all, with a commonsense base, including a resolution mindset, that has led his life.

A life of excellence and being able to pursue his dreams and bring his kids along for the ride. Now, those six have 12 of their own and still counting, the blessing flow.

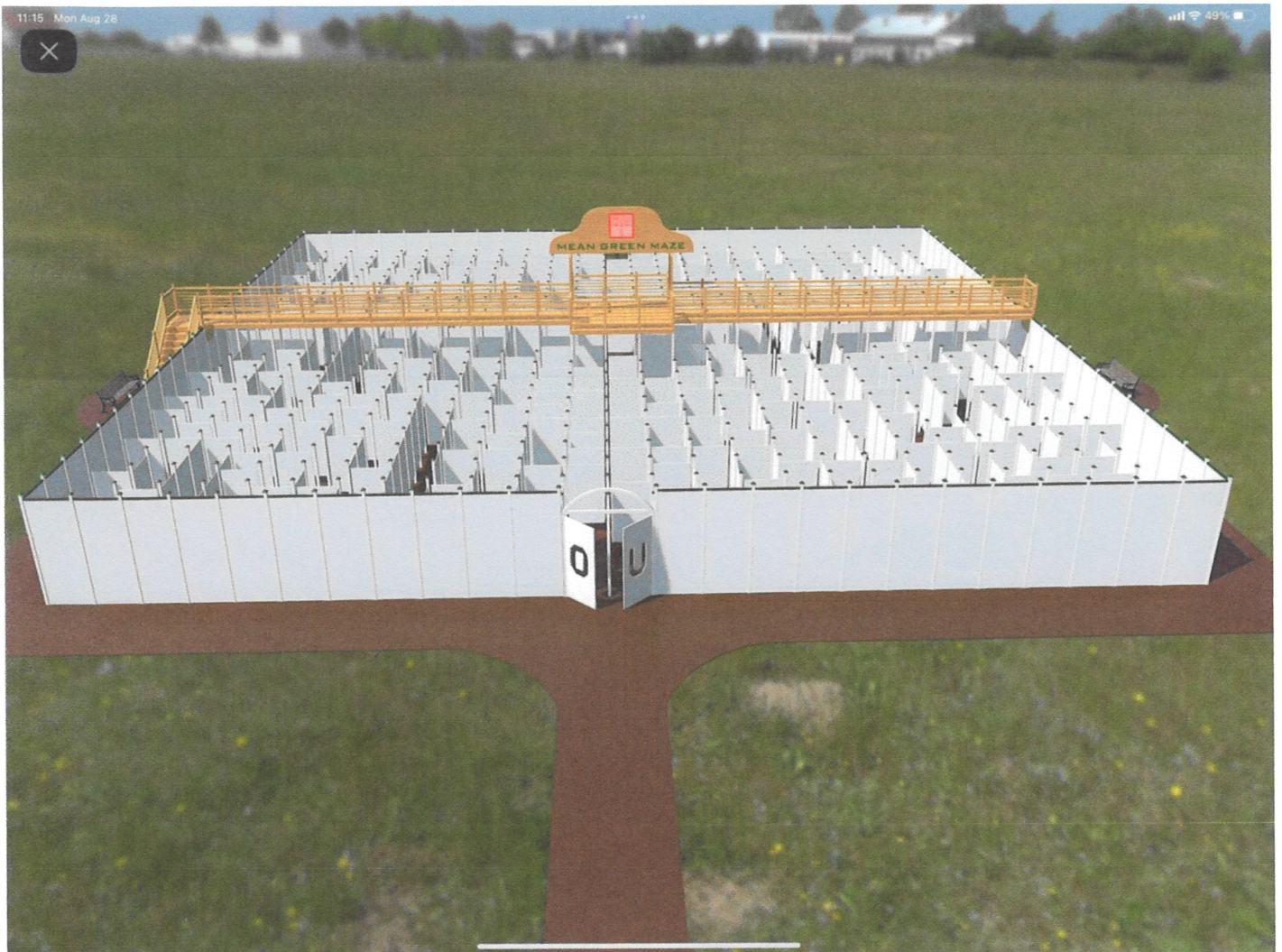
Richard enjoyed a Major League Baseball career that spanned between his signing as a #1 draft pick in the country by the Cleveland Indians in 1969 to being on the first and second Texas Ranger Team in 1972 & 1973. Rich ended his career in 1974 with the California Angels.

Richard was a National Board Member of the Major League Baseball Players Alumni Association for 37 years, retiring in 2022.

Richard founded Fortune Asset Management Co., LLC in 1986. FAMC was the very first contractor chosen by FADA to represent the US government to manage and sell assets in the S&L crisis in the 1980's and 1990's. FAMC was direct contractors to FADA, FSLIC, FDIC & The Resolution Trust Corp. (RTC). Richard testified on Capitol Hill to the Senate & House Joint Banking Committee on RTC affairs (Chuck Schumer, Chair) at the request of Jim Bunning, Kentucky's Junior Senator at the time and a Member of Baseball's Hall of Fame. FAMC managed a property base estimated at 2.5 billion dollars at its zenith.

The Maze:

The MazeWorXs maze is 100'X100' and build primarily of wood 4X4 posts and vinyl gates.



All gates and wood are assembled in a 5'X5' grid. We have designed the patented gate latches that allow movement when changed to a new resolution algorithm. Mazes can be constructed on 14,400 sq.ft., and the one pictured above, through a full Acre maze at 220'X220', (48,400sq.ft.) a massive project.

Signage: An Electronic Sign will be mounted on the elevated Walkway above the maze.

Signage can be approximately 167X67" (13.9X 5.58') or 104"X56" (8.67'X4.67') and will carry no off-site messaging, reserved for the activities and events of the MazeWorXs Maze System exclusively.

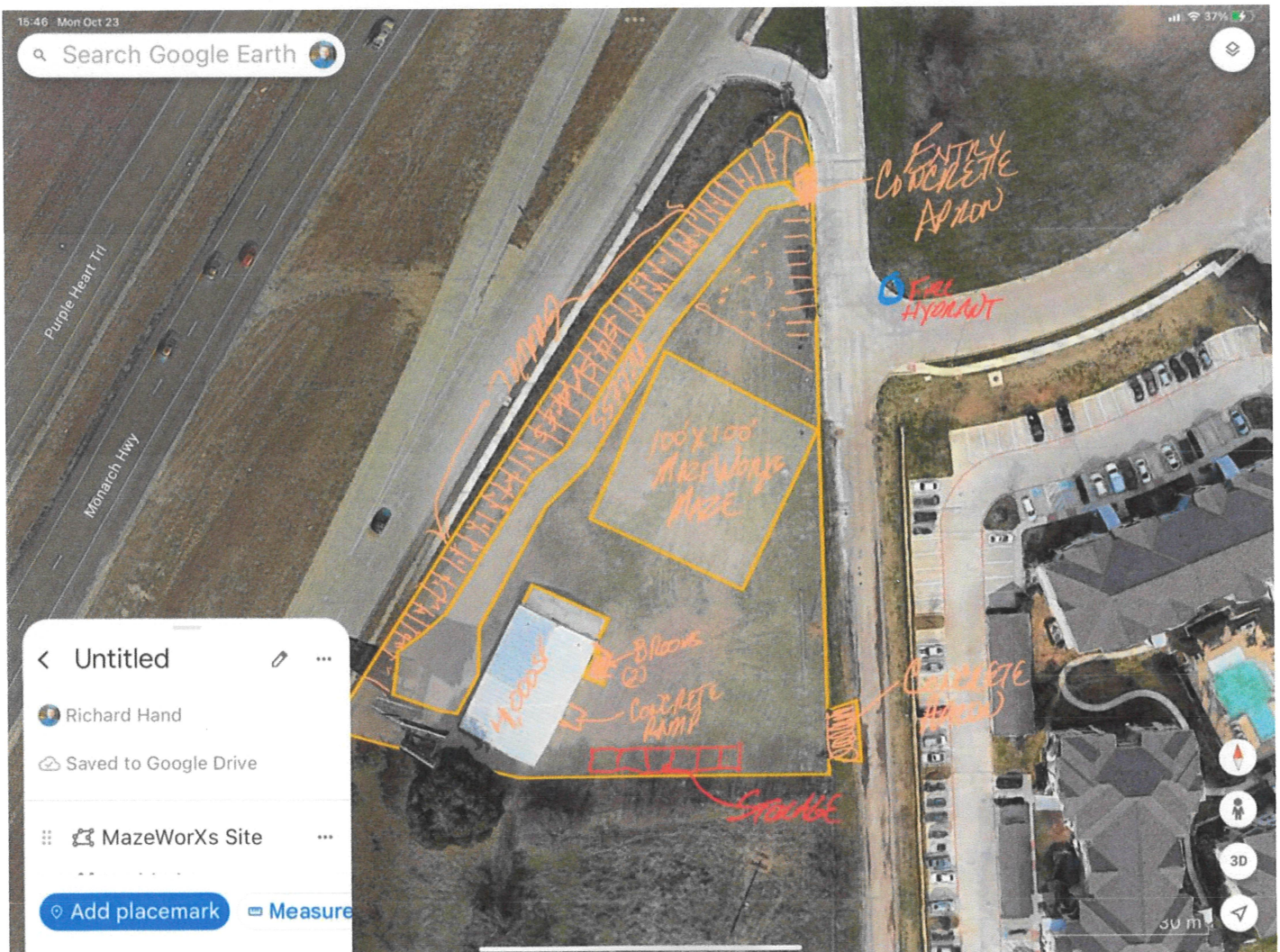
The Site: 13861 Raceway Rd., Northlake, TX is attached for you review.

Approximately 1.53 Acres, which has been zoned PD by the City for a small Hotel on the site. My understanding is that the zoning has been approved for Mr. Jay Bhakta the owner of this land through Northlake Lodging Development, Inc.. Jay has decided to postpone the hotel development for the time being and request a temporary use of the MazeWorXs maze project, as an interim use for the property.

The Aprons: Entry aprons as listed below at the NE & SE will be concreted and used for vehicle entry and truck entry respectively.

Fire Hydrant: The fire hydrant at the intersection of Raceway Dr. and Elizabethtown Roads are approximately 88-100 feet from the center of the MazeWorXs maze and approximately 200 feet from the existing metal 4,000 sf building.

Rest Rooms: 2 additional restroom 8'X10' each will be built for maze patrons.





Building: Existing Metal Building will be renovated and brought up to code and used for Office Space and Workshop area.

Fence: A low profile white 3.5' high fence will be installed in front of all of the parking spaces to separate property and limit vehicular traffic.

Parking: 54 spaces - We intend to cover the parking spaces and access area in 4" of gravel base.

Awning in front of Building: The intention is to re-cover the front of building with either roof awning or a hard cover to retail offerings to the patrons for tickets and treats. Only packaged products from a vendor.

Building Permits:

Well Inspection / Septic Inspection / Building Permit / Electrical Permit / Plumbing Permit

Certificate of Occupancy:

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Unified Development Code (UDC); The Pathway to 2040 Northlake Comprehensive Plan Update

SUBJECT: Consider an Ordinance to amend the Chadwick Farms Mixed-Use Planned Development (MPD) applicable to approximately 75.879 acres of land generally located along the frontage south of State Highway 114 and east of Cleveland-Gibbs Road. Chadwick Farms, LTD is the owner/applicant/developer. Case # PD-23-005

- i. Public Hearing
- ii. Consider Approval

GOALS/ OBJECTIVES: Define Future Amenities/Define and identify "iconic" amenities

BACKGROUND INFORMATION:

Site: Approximately 75.879 acres of land referred to as Tract 2 and generally located along the frontage south of State Highway 114 and east of Cleveland-Gibbs Road

Owner/Applicant: Chadwick Farms, LTD

Current Zoning: Mixed-Use Plan Development (MPD)

Proposed Amendment: The Chadwick Farms MPD divides the Northlake portion of the Chadwick Farms development into four tracts, Tracts 1, 2, 3a, and 3b, with standards unique to each tract. Most of the frontage on SH 114 is covered by Tract 2 which is currently vacant and calls for a mix of commercial uses. This amendment is to provide for a planned indoor sports facility and compatible mixed-use development to include up to 900 multi-family residential units along with a variety of commercial uses. The proposed ordinance shows the revisions to the development standards (Exhibit B) in redline format, and the updated Tract 2 concept plan is attached as Exhibit C.

Future Land Use Designation: Workforce Residential (WR) – This area caters to a range of workers from contractors to executives. Hotels, apartments, condos, mixed-use developments both horizontal and vertical are all appropriate in this area. Horizontal mixed-uses would have residential dwellings within 800 feet. One would also expect to see neighborhood services, retail, commercial, and professional services offices in the area.

Highway Corridors - Generally, these corridors can accommodate heavier commercial and light industrial uses. Depending on the context of nearby uses, high density residential such as apartments, condos, or mixed-use developments would be appropriate as well.

Staff Analysis: This request conforms with the future land use designation and recommendations of the Northlake Comprehensive Plan. The planned development amendment application is acceptable for consideration.

Public Hearing: A public hearing is required prior to acting on the zoning change request. Public

hearing notices were mailed to Northlake property owners within 200 feet, signs posted, and notice was published in the Denton Record Chronicle and on the Town's website. As of December 8th no written comments have been received.

P&Z Action:

- November 28 meeting
 - Held public hearing with no speakers for or against
 - Recommended approval of PD amendment as presented

COUNCIL ACTION/DIRECTION:

- Hold public hearing
- Approve, approve with conditions, or disapprove of planned development amendment



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING ORDINANCE NO. 13-0523A BEING A MIXED-USE PLANNED DEVELOPMENT ZONING DISTRICT AS AMENDED, TO REVISE THE DEVELOPMENT STANDARDS AND PROVIDE AN UPDATED CONCEPT PLAN FOR TRACT 2 OF THE DEVELOPMENT PLAN; 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, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 13-0523A establishing the zoning of Mixed-Use Planned Development “MPD” for Chadwick Farms on a 143.209-acre tract of land located in the Lewis Medlin Survey, Abstract No. 830, in the Town of Northlake, Denton County, Texas; and

WHEREAS, the development standards and development plan for the MPD were amended by Ordinance No. 17-0413B, and Ordinance No. 21-0527B further amended the development standards and development plan and added 9.79 acres to the MPD bringing it to a total of 152.99 acres; and

WHEREAS, the property owner has requested to amend the development standards adopted in Ordinance No. 13-0523A as amended by Ordinance No. 17-0413B and Ordinance 21-0527B to provide for development of an indoor sports facility and compatible mixed-use development; and

WHEREAS, the Town of Northlake heretofore adopted Ordinance No. 16-1208E on December 12, 2016, The Pathway to 2040 Northlake Comprehensive Plan Update, and the requested amendments comply with recommendations of the plan; and

WHEREAS, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for zoning of property have been complied with; and

WHEREAS, upon review and consideration of the Planning and Zoning Commission following a public hearing at their meeting on November 28, 2023, the Planning and Zoning Commission recommended approval of the amendment as provided herein; and

WHEREAS, a public hearing was held by the Town Council of the Town of Northlake on December 14, 2023, with respect to the amendment described herein; and

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public interest to approve the requested amendments to Ordinance No. 13-0523A reflected on the exhibits attached hereto.

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

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The Chadwick Farms "MPD" Mixed-Use Planned Development District Ordinance No. 13-0523A, as amended by Ordinance No. 17-0413B and Ordinance 21-0527B, more fully described in Exhibit "A" is hereby amended so that henceforth and hereafter the Development Standards shall be amended as provided in Exhibit "B," and the Development Plan shall be amended with the updated concept plan for Tract 2 as provided in Exhibit "C" attached hereto. All requirements and regulations not addressed in the text of the Planned Development regulations shall be subject to the regulations contained in the Unified Development Code of the Town of Northlake, Texas and all other applicable and pertinent ordinances of the Town of Northlake.

Section 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall be punished in accordance to Section 1.01.009 of the Town of Northlake Code of Ordinances, and no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

Section 4. 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 5. 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 6. 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 7. This Ordinance shall be in full force and effect from and after its passage and/or publication as required by law.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT A

PROPERTY DESCRIPTION

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 those tracts conveyed to Chadwick Farms, Ltd. by deeds recorded in Volume 4815, Page 789, Volume 4861, Page 1173, Volume 4387, Page 566 and Volume 4684, Page 836, all of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows:

BEGINNING at a 5/8" iron pin found, said iron pin also being the northwest corner of said Chadwick Farms, Ltd. tract recorded in Volume 4684, Page 836, said iron pin also being on the south right-of-way line of said State Highway No. 114;

THENCE South 89 deg. 53 min. 01 sec. East, along the north line of said Chadwick Farms, Ltd. tract recorded in Volume 4684, Page 836 and along the south right-of-way line of said State Highway No. 114, a distance of 451.20 feet, said point being the point of curvature of a circular curve to the right having a radius of 1859.86 feet, a central angle of 13 deg. 22 min. 01 sec. and being subtended by a chord which bears South 83 deg. 10 min. 52 sec. East, 432.92 feet;

THENCE along the north line of said Chadwick Farms, Ltd. tract recorded in Volume 4684, Page 836 and along the south right-of-way line of said State Highway No. 114 and along said curve to the right, a distance of 433.90 feet to a 5/8" iron pin found, said iron pin being the northeast corner of said Chadwick Farms, Ltd. tract recorded in Volume 4684, Page 836, said iron pin also being the northwest corner of a tract of land conveyed to Brazos Electric Power Cooperative, Inc. by deed recorded in Volume 366, Page 338 and Volume 1042, Page 439, DRDCT;

THENCE South 00 deg. 52 min. 58 sec. East, departing the south right-of-way line of said State Highway No. 114, along the east line of said Chadwick Farms, Ltd. tract recorded in Volume 4684, Page 836 and along the west line of said Brazos Electric Power Cooperative tract, a distance of 177.37 feet, said point being the northernmost corner of a tract of land conveyed to Brazos Electric Power Cooperative, Inc. by deed recorded in Volume 2798, Page 868, DRDCT;

THENCE South 16 deg. 34 min. 48 sec. West, along the east line of said Chadwick Farms, Ltd. tract recorded in Volume 4684, Page 836 and the west line of said Brazos Electric Power Cooperative tract, a distance of 143.37 feet;

THENCE South 68 deg. 26 min. 16 sec. East, along the east line of said Chadwick Farms, Ltd. tract recorded in Volume 4684, Page 836 and the west line of said Brazos Electric Power Cooperative tract, a distance of 46.55 feet to a 1" iron pin found, said iron pin being on the west line of a tract of land conveyed to Chadwick Farms, Ltd. by deed recorded in Volume 4815, Page 789, DRDCT;

THENCE South 72 deg. 23 min. 29 sec. East, along the west line of said Chadwick Farms, Ltd. tract recorded in Volume 4815, Page 789 and the south line of a tract of land conveyed to Brazos

Electric Power Cooperative by deeds recorded in Volume 366, Page 338 and Volume 1042, Page 439, a distance of 201.25 feet to a 5/8" iron pin found;

THENCE North 17 deg. 52 min. 53 sec. East, a distance of 149.91 feet;

THENCE North 18 deg. 29 min. 10 sec. East, a distance of 162.85 feet, said point also being on the south right-of-way line of said State Highway No. 114 ;

THENCE South 68 deg. 43 min. 15 sec. East along the south right-of-way line of said State Highway No. 114, a distance of 2623.47 feet;

THENCE South 69 deg. 14 min. 48 sec. East along the south right-of-way line of said State Highway No. 114, a distance of 80.16 feet;

THENCE South 69 deg. 00 min. 19 sec. East along the south right-of-way line of said State Highway No. 114 East, a distance of 124.94 feet;

THENCE South 26 deg. 28 min. 27 sec. West, a distance of 266.23 feet, said point also being the Point of Curvature of a circular curve to the right having a radius of 4000.00 feet, a central angle of 17 deg. 05 min. 33 sec. and being subtended by a chord which bears South 35 deg. 01 min. 13 sec. West, 1188.87 feet;

THENCE along said curve to the right, a distance of 1193.29 feet;

THENCE South 43 deg. 34 min. 00 sec. West, tangent to said curve, a distance of 428.80 feet;

THENCE South 88 deg. 05 min. 55 sec. West, along the south line of said 32.582 acre Chadwick Farms, Ltd. tract recorded in Volume 4861, Page 1173 and along a north line of said Chadwick Holdings Tract One, a distance of 161.10 feet to a 1/2" iron pin found, said iron pin being the southwest corner of said 32.582 acre Chadwick Farms, Ltd. tract recorded in Volume 4861, Page 1173;

THENCE North 00 deg. 37 min. 34 sec. East, along the west line of said 32.582 acre Chadwick Farms, Ltd. tract recorded in Volume 4861, Page 1173 and along a north line of said Chadwick Holdings Tract One a distance of 340.33 feet, said point being the southeast corner of the Chadwick Farms, Ltd. tract recorded in Volume 4387, Page 566;

THENCE South 88 deg. 05 min. 38 sec. West, along the south line of said Chadwick Farms, Ltd. tract recorded in Volume 4387, Page 566 and along the north line of Tract One and Tract Two of said Chadwick Holdings tracts, a distance of 1754.92 feet;

THENCE North 68 deg. 21 min. 28 sec. West, along the south line of said Chadwick Farms, Ltd. tract recorded in Volume 4387, Page 566 and along the north line of Tract Two of said Chadwick Holdings tracts, a distance of 44.86 feet;

THENCE North 11 deg. 31 min. 07 sec. West, a distance of 1048.53 feet;

THENCE South 82 deg. 47 min. 23 sec. West, a distance of 156.72 feet, said point also being the Point of Curvature of a circular curve to the right having a radius of 448.07 feet, a central angle of 78 deg. 37 min. 53 sec. and being subtended by a chord which bears North 57 deg. 53 min. 40 sec. W, 567.79 feet;

THENCE along said curve to the right, a distance of 614.92 feet;

THENCE North 89 deg. 48 min. 05 sec. East, a distance of 97.12 feet;

THENCE North 00 deg. 43 min. 18 sec. West along the west line of said Chadwick Farms, Ltd. tract recorded in Volume 4684, Page 836, a distance of 1092.93 feet to the Point of Beginning and containing 6,238,165 square feet or 143.209 acres of land, more or less.

EXHIBIT "A"

PROPERTY DESCRIPTION

STATE OF TEXAS:
COUNTY OF DENTON:

BEING a tract of land situated in the Lewis Medlin Survey, Abstract No. 830, Denton County, Texas, being a portion of Tract One and a portion of Tract Two as described in deed to Chadwick Holdings, Ltd., recorded in Volume 4851, Page 1073, Deed Records, Denton County, Texas (ORDCT) and Correction Deed recorded in Volume 5019, Page 2723, ORDCT, being a portion of Cleveland-Gibbs Road as recorded in 2009-30, Official Records, Denton County, Texas (ORDCT), being all of Lot 1X, Block 26 and that portion of Chadwick Parkway set out per the final plat of Lot 1X, Block 26, Chadwick Farms Addition, an addition to the City of Fort Worth, Denton County, Texas as recorded in 2009-218, ORDCT, being a portion of Lot 1, Block 25 of the Final Plat of Lot 1X, Block 24 and Lot 1, Block 25, Chadwick Farms Addition, an addition to the City of Fort Worth, Denton County, Texas as recorded in 2010-2, ORDCT, and being more particularly described as follows:

BEGINNING at a 1/2" iron pin found at the most northerly northeast corner of said Lot 1X, Block 26, being the most northerly northeast corner of said Chadwick Holdings Tract One, said point lying in the west line of a Tract 1 as described in deed to Chadwick MHP, recorded in Volume 4861, Page 1173, ORDCT and quitclaim deed recorded in Volume 4861, Page 1180, ORDCT, now known as Chadwick Farms, Ltd. per document recorded in Volume 5534, Page 4450, ORDCT;

THENCE S 00°37'34" W, along a reentrant line of said Chadwick Holdings Tract One and the west line of said Chadwick Farms Tract 1, a distance of 340.33 feet to a 1/2" iron pin found at a reentrant corner of said Chadwick Holdings Tract One and the southwest corner of said Chadwick Farms Tract 1;

THENCE N 88°05'55" E, along a reentrant line of said Chadwick Holdings Tract One and the south line of said Chadwick Farms Tract 1, at a distance of 75.55 feet passing the northwest corner of said Cleveland-Gibbs Road (120' R.O.W.) per plat recorded in 2009-30, ORDCT and the southwest corner of said Cleveland-Gibbs Road (120' R.O.W. at this point) per plat recorded in Cabinet W, Page 277, Plat Records, Denton County, Texas (PRDCT), continuing a total distance of 246.66 feet to the northeast corner of said Cleveland-Gibbs Road per plat recorded in 2009-30, ORDCT and the southeast corner of said Cleveland-Gibbs Road per plat recorded in Cabinet W, Slide 277, PRDCT, being the northwest corner of Lot 1X, Block 27, Chadwick Farms Addition, an addition to the City of Fort Worth, Denton County, Texas as recorded in 2019-217, ORDCT and the southwest corner of Lot 1, Block A, Premier Academy-Northlake, an addition to the Town of Northlake, Denton County, Texas as recorded in 2015-255, ORDCT;

THENCE, along the easterly right-of-way line of said Cleveland-Gibbs Road (120' R.O.W. per 2009-30, ORDCT) and the westerly line of said Lot 1X, Block 27, as follows:

S 43°34'00" W, a distance of 138.68 feet to the beginning of a tangent curve to the left, having a radius of 1740.00 feet;

Southwesterly, along said curve, having a central angle of 05°48'55", an arc distance of 176.61 feet, and a chord that bears S 40°39'32" W, 176.53 feet to the most southerly corner of the herein described tract of land;

THENCE N 52°14'55" W, departing the westerly line of said Lot 1X, Block 27, across said Cleveland-Gibbs Road, radial to said curve, a distance of 120.00 feet to a point in the westerly right-of-way line of said Cleveland-Gibbs Road and the southeasterly line of said Lot 1, Block 25 of the final plat of Lot 1X, Block 24 and Lot 1, Block 25, Chadwick Farms Addition, said point lying in a curve to the right, having a radius of 1860.00 feet;

THENCE Northeasterly, along the westerly right-of-way line of said Cleveland-Gibbs Road and the southeasterly line of said Lot 1, Block 25, along said curve, having a central angle of 00°36'58", an arc distance of 20.00 feet, and a chord that bears N 38°03'34" E, 20.00 feet to the most southerly clip corner of the intersection of the westerly line of said Cleveland-Gibbs Road and the southwesterly line of said Chadwick Parkway per plat recorded in 2009-30, ORDCT;

**GOODWIN &
MARSHALL**

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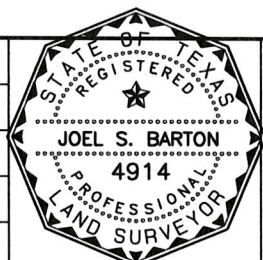
2405 Mustang Drive, Grapevine, TX. 76051

Metro (817) 329-4373

TBPLS FIRM No. 10021700

Joel S. Barton

Scale: NONE
Date: 5/15/2021
Job No.: 10313
Drafted: T. J. M.
Checked: J. S. B.



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EXHIBIT "A"

THENCE N 05°56'22" W, along a right-of-way clip line and an east line of said Lot 1, Block 25, a distance of 14.27 feet to a right of way clip corner in the southwesterly line of said Chadwick Parkway;

THENCE along the southwesterly right-of-way line of said Chadwick Parkway (60' R.O.W. per 2009-30 & 2009-218, ORDCT) and the northeasterly line of said Lot 1, Block 25, as follows;

N 50°24'01" W, a distance of 119.66 feet to the beginning of a tangent curve to the right, having a radius of 1830.00 feet;

Northwesterly, along said curve, having a central angle of 08°25'54", an arc distance of 269.30 feet, and a chord that bears N 46°11'04" W, 269.06 feet to the northeast corner of a tract of land as described in deed to Saint Peter Lutheran Church, recorded in 2009-111646, ORDCT;

THENCE S 70°53'08" W, departing the southwesterly line of said Chadwick Parkway, across said Lot 1, Block 25, along the north line of said Saint Peter Lutheran Church tract, passing the northwest corner of said Saint Peter Lutheran Church tract and the northeast corner of a tract of land as described in quitclaim deed to Saint Peter Lutheran Church, recorded in 2009-111647, ORDCT, a distance of 750.46 feet to the northwest corner of said Saint Peter Lutheran Church tract described in quitclaim deed, said point lying in westerly line of said Lot 1, Block 25 and the easterly line of Lot 1X, Block 24 of said Chadwick Farms Addition recorded in 2010-2, ORDCT;

THENCE along the westerly line of said Lot 1, Block 25 and the easterly line of said Lot 1X, Block 25, as follows:

N 36°01'20" W, a distance of 390.87 feet;

N 50°21'39" W, a distance of 132.11 feet to the northwest corner of said Lot 1, Block 25 and the northeast corner of said Lot 1X, Block 25, said point lying in the south line of Lot 2, Block 1 of the final plat of Lots 1 and 2, Block 1, Chadwick Farms Subdivision, being the Chadwick Apartments, an addition to the Town of Northlake, Denton County, Texas as recorded in 2010-41, ORDCT;

THENCE N 88°05'38" E, along the north line of said Lot 1, Block 25 and the south line of said Lot 2 & Lot 1, Block 1, at a distance of 895.57 feet passing the northeast corner of said Lot 1, Block 25, the southeast corner of said Lot 1, Block 1, the northwest corner of said Chadwick Parkway (60' R.O.W.) per plat recorded in 2009-218, ORDCT, the southwest corner of said Chadwick Parkway (60' R.O.W.) per plat recorded in 2009-142, ORDCT, at a distance of 967.37 feet passing the northeast corner of said Chadwick Parkway per plat recorded in 2009-218, ORDCT, the southeast corner of said Chadwick Parkway per plat recorded in 2009-142, ORDCT, and the northwest corner of said Lot 1X, Block 26 of Chadwick Farms Addition recorded in 2009-218, ORDCT, continuing along the north line of said Lot 1X, Block 26, the north line of said Chadwick Holdings Tract One, and the south line of a remainder portion of Tract 1 as described in deed to Roanoke Land Partners, Ltd., recorded in Volume 4387, Page 566, DRDCT, now known as Chadwick Farms, Ltd. per document recorded in Volume 4850, Page 2754, DRDCT, a total distance of 1379.62 feet to the POINT OF BEGINNING and containing 426,470 square feet or 9.790 acres of land.

NOTES:

1. The bearings hereon are referenced to the deed recorded under County Clerk's File No. 99-R0075117 of the Deed Records of Denton County, Texas.
2. This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

**GOODWIN
AND
MARSHALL**

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2405 Mustang Drive, Grapevine, TX. 76051

Metro (817) 329-4373

TBPLS FIRM No. 10021700

Joel S. Barton

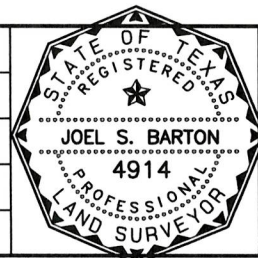
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Date: 5/15/2021

Job No.: 10313

Drafted: T. J. M.

Checked: J. S. B.



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LINE DATA

LINE	BEARING	DISTANCE
L1	S00°37'34"W	340.33'
L2	N88°05'55"E	246.66'
L3	S43°34'00"W	138.68'
L4	N52°14'55"W	120.00'
L5	N05°56'22"W	14.27'
L6	N50°24'01"W	119.66'
L7	N50°21'39"W	132.11'

CURVE DATA

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C1	1740.00'	5°48'55"	176.61'	S40°39'32"W	176.53'
C2	1860.00'	0°36'58"	20.00'	N38°03'34"E	20.00'
C3	1830.00'	8°25'54"	269.30'	N46°11'04"W	269.06'

**GOODWIN
AND
MARSHALL**

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TBPLS FIRM No. 10021700

Joel S. Barton

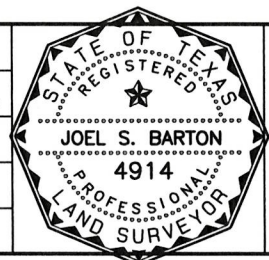
Scale: NONE

Date: 5/15/2021

Job No.: 10313

Drafted: T. J. M.

Checked: J. S. B.



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EXHIBIT B
+/- 152.999 ACRES

MPD, Mixed-Use Planned Development District

1.00 Tract 1 - Residential (Approximately 54.805 acres)

- 1.01 **General Description:** The residential tract is intended to provide for high quality medium density development with attached units such as multi-family and single-family attached (townhouse). Access to multi-family units shall be provided from private access drives or parking areas connecting to adjacent public streets. Access to single-family attached units may be from public streets and alleys or private access drives connecting to adjacent public streets. Multi-family units will range from 2 units per building to 24 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 and single-family attached development shall be governed by standards as described below.
- 1.02 **Permitted Uses:** Land uses permitted within the 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.
 3. Single-Family Attached Residential (Townhouse) units as described herein.
- 1.03 **Density:** The overall allowed density for Tract 1 shall be 16 units per gross area, including the floodplain area.
- 1.04 **Minimum Lot Area:** 20,000 square feet for multi-family
2,500 square feet for single-family attached
- 1.05 **Minimum Lot Dimensions:** 100 feet lot width for multi-family
25 feet lot width for single-family attached
100 feet lot depth for single-family attached

- 1.06 **Minimum Front Yard:** 30 feet for one story principal structure,
40 feet for two story principal structure, and
50 feet for three story principal structure for
multi-family
20 feet for single-family attached
- 1.07 **Minimum Side and Rear Yards:** 25 feet for one-, two- and three-story principle
Multi-family Structures
0 feet side yard for single-family attached units
with a maximum of 8 consecutive units attached
10 feet shall be provided between detached
structures
20 feet rear yard for single-family attached
- 1.08 **Minimum Building Separation:** 15 feet for multi-family
No building separation required for single-family
attached except as described in Section 1.07
- 1.09 **Minimum Floor Area Per Dwelling Unit:**
1. Multi-Family Residential Uses
 - a. 650 square feet - 1 Bedroom
 - b. 900 square feet - 2 Bedroom
 - c. 1100 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
 3. Single-Family Attached Residential Uses
 - a. 1400 square feet
- 1.10 **Maximum Lot Coverage:** 35%, excluding accessory buildings for multi-family
70% for single-family attached
- 1.11 **Maximum Height:** The permitted height of all residential structures shall not exceed three
(3) stories, or forty-five (45) feet to the mean point of the roof, whichever is greater.
- 1.12 **Building Materials:** For multi-family the exterior building materials shall be a minimum
of eighty percent (80%) masonry product (including stucco), 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 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.

Single-family attached shall meet the requirements for single-family residential in Sec. 9.5, Exterior Construction and Design Standards, of the Northlake Unified Development Code (UDC).

- 1.13 **Required Open Space:** The minimum amount of required open space for residential development shall be 20% of the area of the lot (multi-family) or platted phase (single-family attached), net of floodplain and adjacent right-of-way. No park land dedication or park fees shall be required in lieu of providing open space.

1.14 **Parking Requirements:**

1. Multi-Family Residential: The minimum parking requirement shall be two (2) 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%) of the total required parking spaces, as defined above, shall be covered. Said 20% 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.
4. Single-Family Attached Residential: A minimum of two (2) spaces shall be provided in an enclosed garage. Front-entry garages shall be allowed. Carports are 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:

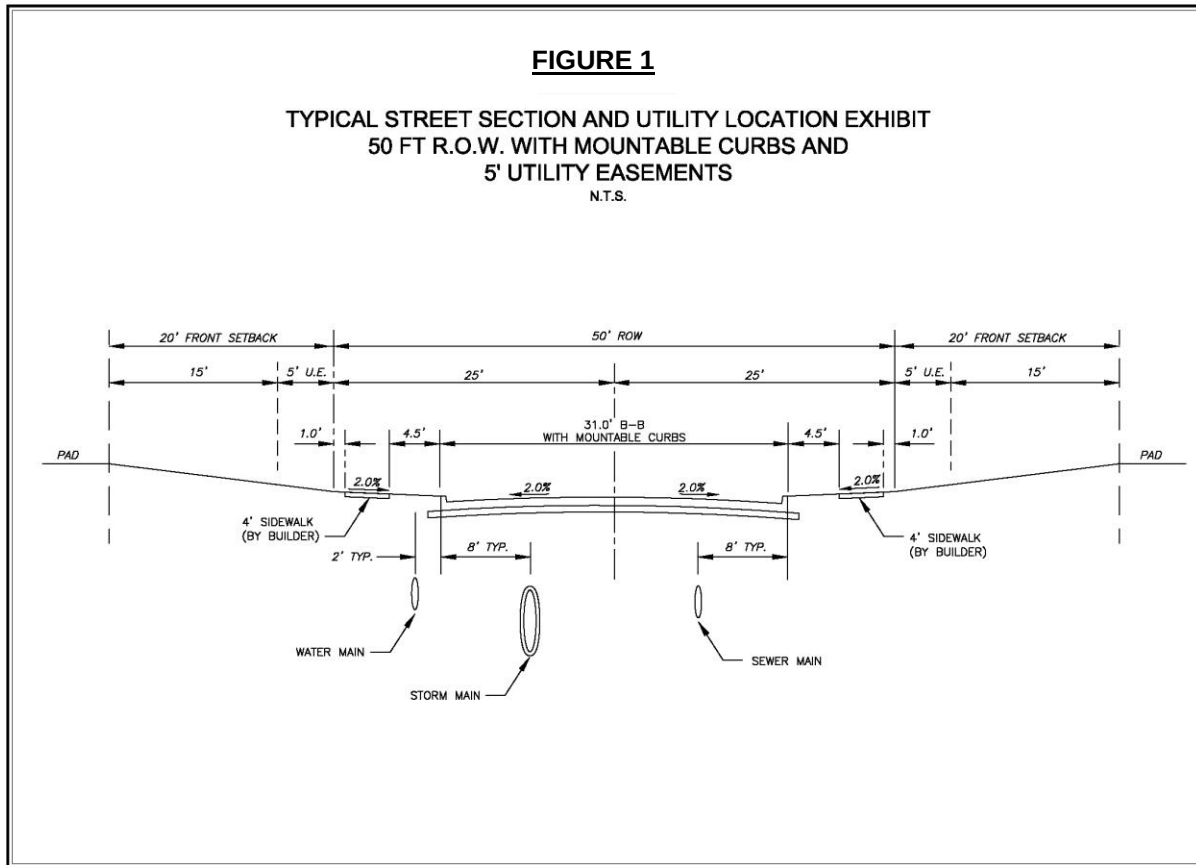
a.	Minimum Front Yard Set Backs	50 feet
b.	Minimum Rear and Side Yard Set Backs	10 feet
c.	Minimum Building Separation	10 feet

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

1.16 **Miscellaneous Single-Family Attached (Townhouse) Provisions:**

1. Streets and driveways:
 - a. Streets shall be designed with a 50-foot street right-of-way, a 31-foot “back-to-back” pavement cross section and a 5-foot easement on either side of the street in accordance with **Figure 1**.
 - b. 24” Mountable curbs will be constructed for the proposed streets.
 - c. 4’ sidewalks shall be construction by homebuilder 1-foot inside the public right-of-way when homes are developed. Sidewalks adjacent to open spaces to be constructed by the developer with the public improvements.
 - d. On corner lots, the “corner clips” shall not be considered when measuring setbacks.
 - e. Driveway radii to be 2 feet on lots with adjacent driveways and 4 feet for all others.
 - f. The minimum distance from a driveway to intersection may be reduced as shown on an approved site plan when the driveway is on a local street intersecting with another local street.
 - g. Alternative turnarounds to cul-de-sacs as approved by the Fire Marshal and as shown on an approved site plan may be allowed.

- h. At the time of home construction, home builders shall construct additional driveway areas at dead ends in order to provide for additional space for vehicles backing out of garages.



2. Landscaping/Screening/Open Space:
 - a. Perimeter screening/fencing along Cleveland-Gibbs Road shall consist of a 6-foot solid masonry wall with stone columns.
 - b. Screening/fencing along all other property boundaries may consist of one of the following at the developer's discretion:
 - i. 6-foot board-on-board, wooden privacy fence;
 - ii. 4-foot wrought iron fence;
 - iii. 6-foot solid masonry wall
 - c. The following landscaping may be placed within the westerly 5-feet of the existing 20-foot sanitary sewer easement and 15-foot water easement adjacent to Cleveland-Gibbs Road along the east side of the screening walls.
 - i. Ornamental trees
 - ii. Shrubs or ornamental grasses
 - d. The following landscaping and monument signage may be placed within the existing 20-foot sanitary easement and 15-foot water easement adjacent to Cleveland Gibbs Road:

- i. Groundcover or decomposed granite and ornamental boulders;
 - ii. Planting beds;
 - iii. Entry monument sign
 - e. Alternative landscaping requirements along the frontage of Cleveland-Gibbs Road may be considered and approved with site plan approval.
 - f. At the time of home construction, home builders shall plant a minimum of one street tree in the front yard for every two lots.
- 3. Homeowner's Association
 - a. A homeowner's association (HOA) shall be established prior to final platting of the tract for single-family attached residential lots.
 - b. The HOA will be responsible for the improvement and maintenance of all common areas and/or common facilities.
- 4. Concept plan
 - a. A concept plan for development of the approximately 7.5-acre site at the northwest corner of Cleveland-Gibbs Road and Chadwick Parkway with single-family attached residential (townhouses) is attached as Attachment A.
 - b. The overall layout and number of lots shown on the concept plan are presented for conceptual purposes only and subject to change. The final layout and number of lots will be subject to all requirements herein and determined with site plan and platting.
 - c. The edge of driveway on Lot 61 as shown on Attachment A shall be allowed within 20 feet of the projected gutter line for Street A.
 - d. At the time of home construction, home builders shall construct additional driveway areas for Lots 20 and 41 in order to provide for additional space for vehicles backing out of garages in general conformance with Attachment A.

2.00 Tract 2 - Mixed Use: Commercial & Residential~~Commercial~~ (Approximately 75.879 Acres)

2.01 **General Description - Commercial:** The Commercial areas, generally located on the north side of the Link Road between Cleveland Gibbs Road and Chadwick Parkway and the area west of Chadwick Parkway, will provide the ability to encourage and to accommodate the development of office, retail, hotel, sports, entertainment, 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
- Indoor sports facility
- 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 ~~4~~1.
- 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. Commercial parking shall be provided under a Shared Parking arrangement with all permitted uses except for hotels and the indoor sports facility. Hotels shall provide a minimum of 0.9 parking spaces per room, and indoor sports facilities shall provide a minimum of one (1) parking space per 500 square feet of gross floor area. 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 t~~The commercially zoned property will have a variety of different uses. Therefore, it is expected that opportunities for shared parking ~~may will~~ exist within the project in order to reduce the overall number of parking places otherwise required. As such, Commercial Parking shall be permitted at a minimum of one (1) space per 150 square feet of gross floor area of Commercial development.~~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 fortyeighty-~~ five (45~~85~~) 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 front elevation shall extend for a distance equal to three (3) times the wall's height without having an offset of 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 front elevation shall extend horizontally for a distance greater than three (3) times the height of the wall without changing vertically by a minimum of 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-seventy-five~~ percent (~~50~~75%) 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 to the Link Road shall be ~~thirty-ten~~ (~~30~~10) feet. The minimum front yard to State Highway 114, Cleveland-Gibbs Road, and Chadwick Parkway shall be twenty (20) 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~~ setback shall be ten (10) feet.

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~~ setback shall be ten (10) feet.

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 by the use of 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-southern 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. Tract 2 with the creation of a hike and bike trail to be further described, delineated and be clearly identified at the item of final Site Plan submittal and approved by the Town of Northlake.

2.20 **General Description - Residential:** The residential development on the site shall only be located south of the Link Road between Cleveland-Gibbs Road and Chadwick Parkway and is intended to provide for high quality medium density development with attached units such as multi-family and single-family attached (townhouse). Access to the multi-family shall be provided from private access drives or parking areas connecting to adjacent public streets. Access to single-family attached units may be from public streets and alleys or private access drives connecting to adjacent public streets. Multi-family units may range from 2 units per building to 100 units per building. Requirements for residential development shall be governed by standards as described below.

2.21 **Permitted Uses, Restrictions and Guidelines:** All uses, restrictions and guidelines established in Sections 1.02 to 1.15 shall apply to this tract except as provided in this section.

1. **Density:** The total residential allowed on Tract 2 shall not exceed 900 units.
2. **Minimum Front Yard:** The minimum front yard to the Link Road shall be ten (10) feet. Minimum front yard to Cleveland-Gibbs Road and Chadwick Parkway shall be twenty (20) feet.
3. **Minimum Side and Rear Yards:** Ten (10) feet.
4. **Minimum Floor Area Per Dwelling Unit:**
 - a. 500 square feet – 1 Bedroom
 - b. 800 square feet – 2 Bedroom
 - c. 1,000 square feet – 3 Bedroom
5. **Maximum Height:** The permitted height of all multi-family structures shall not exceed eighty-five (85) feet to the mean point of the roof.
6. **Retail:** Retail and restaurant uses shall be permitted in lieu of residential development

in the Residential designated area of Tract 2. Such development shall meet all restrictions and guidelines outlined in Sections 2.02 to 2.19. Ground Level retail/restaurant use adjacent to Link Road shall be permitted within podium or wrap multi-family buildings.

7. **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 façade. 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.
8. **Required Open Space:** The minimum amount of required open space for any multi-family lot shall be ten (10%) percent of the area of the lot, including floodplain and net of adjacent right-of-way.
9. **Parking Requirements:** The minimum multi-family residential parking requirement shall be one point five (1.5), 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. In the event an apron is provided in front of the enclosed garages, it shall be counted as a parking space.

2.22 **Access and Connectivity:** In conjunction with development of Tract 2, vehicular access from east to west across Tract 2 shall be provided via a minimum twenty-four (24) foot wide roadway within a fifty (50) foot public right-of-way generally as located on the Tract 2 Concept Plan and as depicted on Attachment B, Street Section Diagrams. Such roadway shall lie between Cleveland-Gibbs Road to the east and Tract 3A to the west. Pedestrian access and connectivity shall be provided between this Tract and the adjacent Tract 3A 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.

2.23 **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 2.21.7 above. Accessory buildings may not be permitted without a primary structure.

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
- 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 one hundred (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.
- 2.3. Link Road: The east-west Link Road (to be formally named and depicted on Development Plan) shall be a twenty-four (24) foot roadway within a fifty (50) foot right-of-way west of Chadwick Parkway and a seventy (70) foot public right-of-way east of Chadwick Parkway.

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 general public. The minimum amount of open space required to be preserved at full build out of the development is 20%.

3. Multi-purpose trail connections shall be made through the open space, so as to ultimately provide interconnection with the parks and open space systems located within the ~~City of Fort Worth~~greater overall region over time.
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 uplighting 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 2017 and will take approximately 6-9 months to complete the first phase of Tract 3A and all of Tract 3B~~has been completed.
- 5.04 Plans are for the entire project to be completed as market conditions dictate.

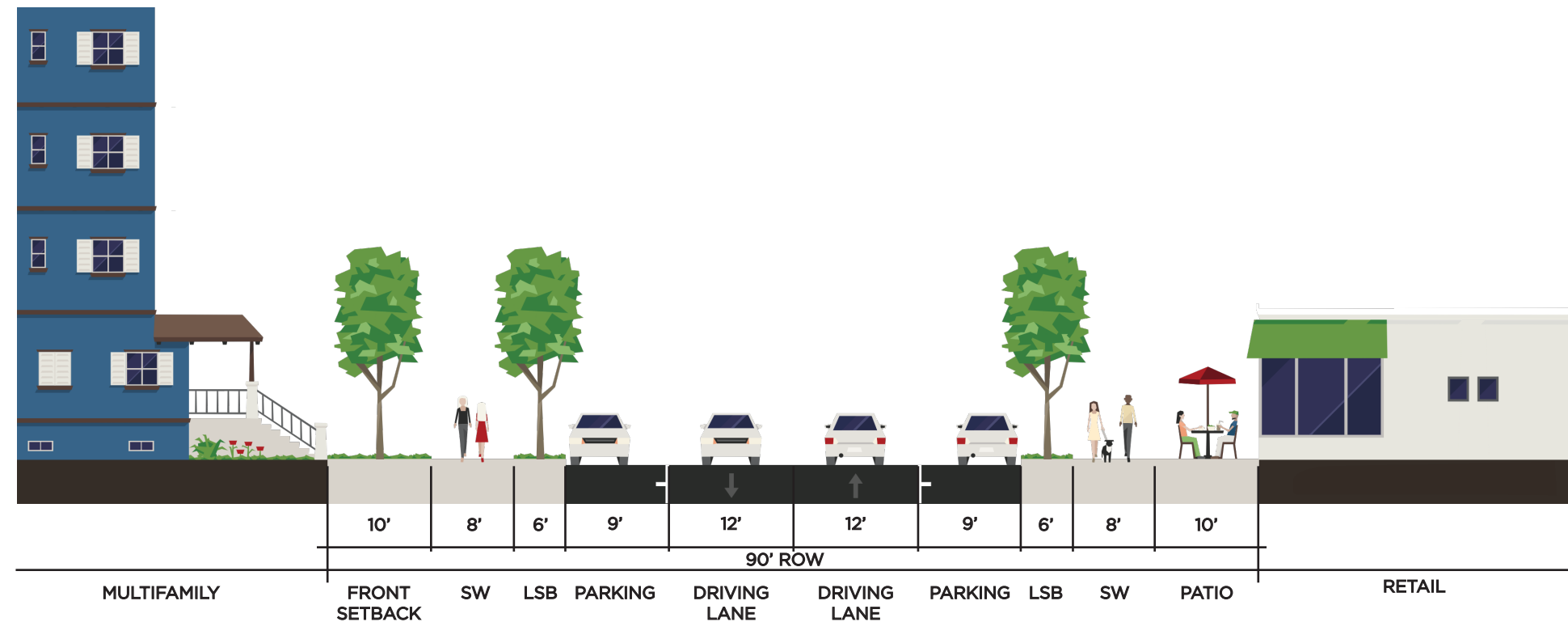
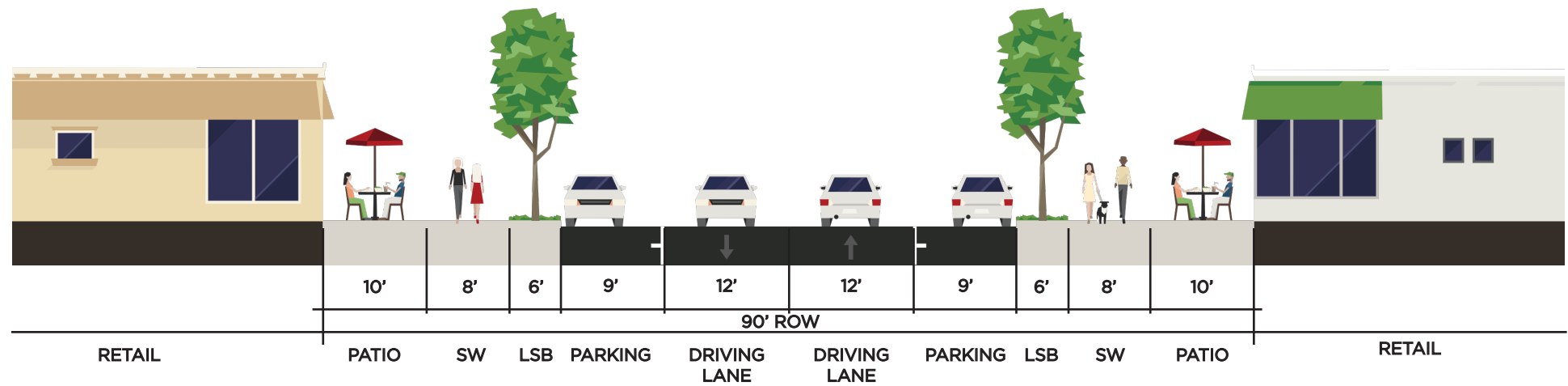
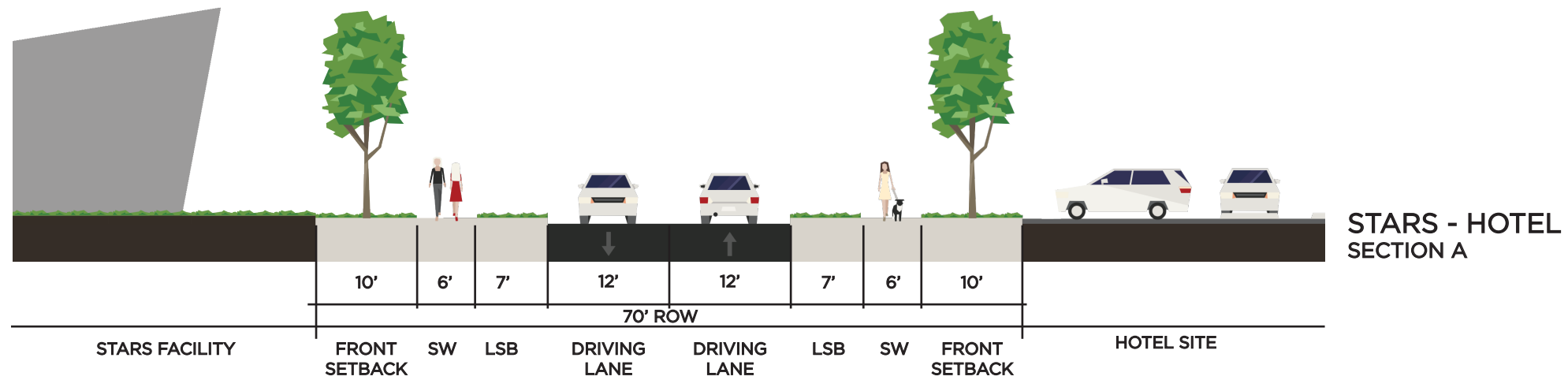
6.00 Tract 3A - Commercial (Approximately 7.859 Acres)

- 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)

- 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 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 except as provided in this section.
1. **Density:** The overall allowed density for Tract 3B shall be 18 nits per gross area, including the floodplain area.
 2. **Minimum Side and Rear Yards:** 20 feet for one, two and three story principle structures.
 3. **Minimum Floor Area Per Dwelling Unit:**
 - a. 500 square feet – 1 Bedroom
 - b. 800 square feet – 2 Bedroom
 - c. 1,000 square feet – 3 Bedroom
 4. **Maximum Height:** The permitted height of all multi-family structures shall not exceed three (3) stories, or fifty (50) feet to the mean point of the road, whichever is greater.
 5. **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 façade. 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.
 6. **Required Open Space:** The minimum amount of required open space for any multi-family lot shall be 15% of the area of the lot, net of floodplain and adjacent right-of-way.
 7. **Parking Requirements:** The minimum multi-family residential parking requirement shall be 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. Ten percent (10%) of the total required parking spaces, as defined above, shall be covered. Said 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.
- 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.



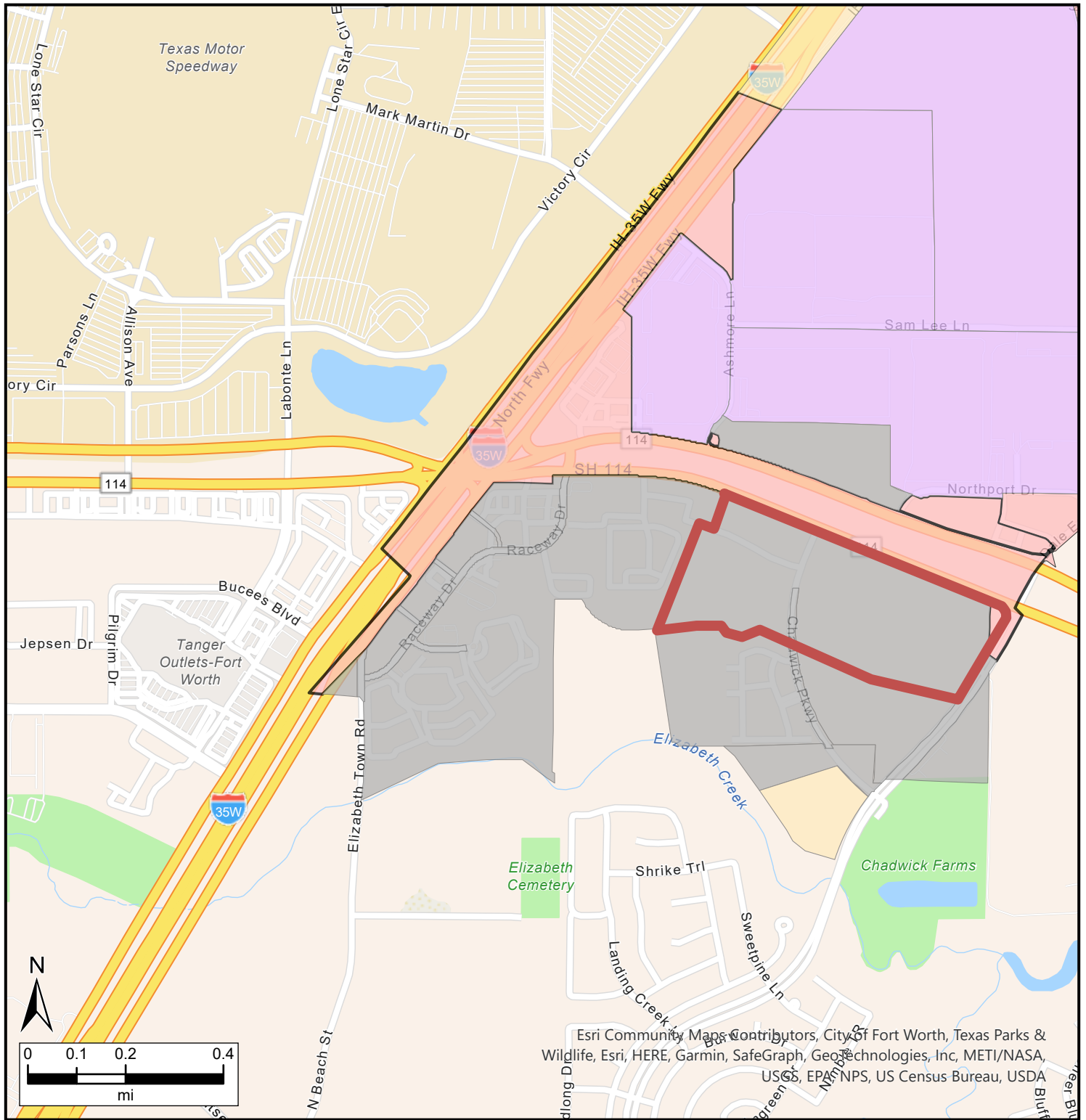
SW = SIDEWALK
LSB = LANDSCAPE BARRIER

*THESE CONCEPT DIAGRAMS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE AT TIME OF DEVELOPMENT



*THIS CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE AT TIME OF DEVELOPMENT

Northlake



Esri Community Maps Contributors, City of Fort Worth, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Legend

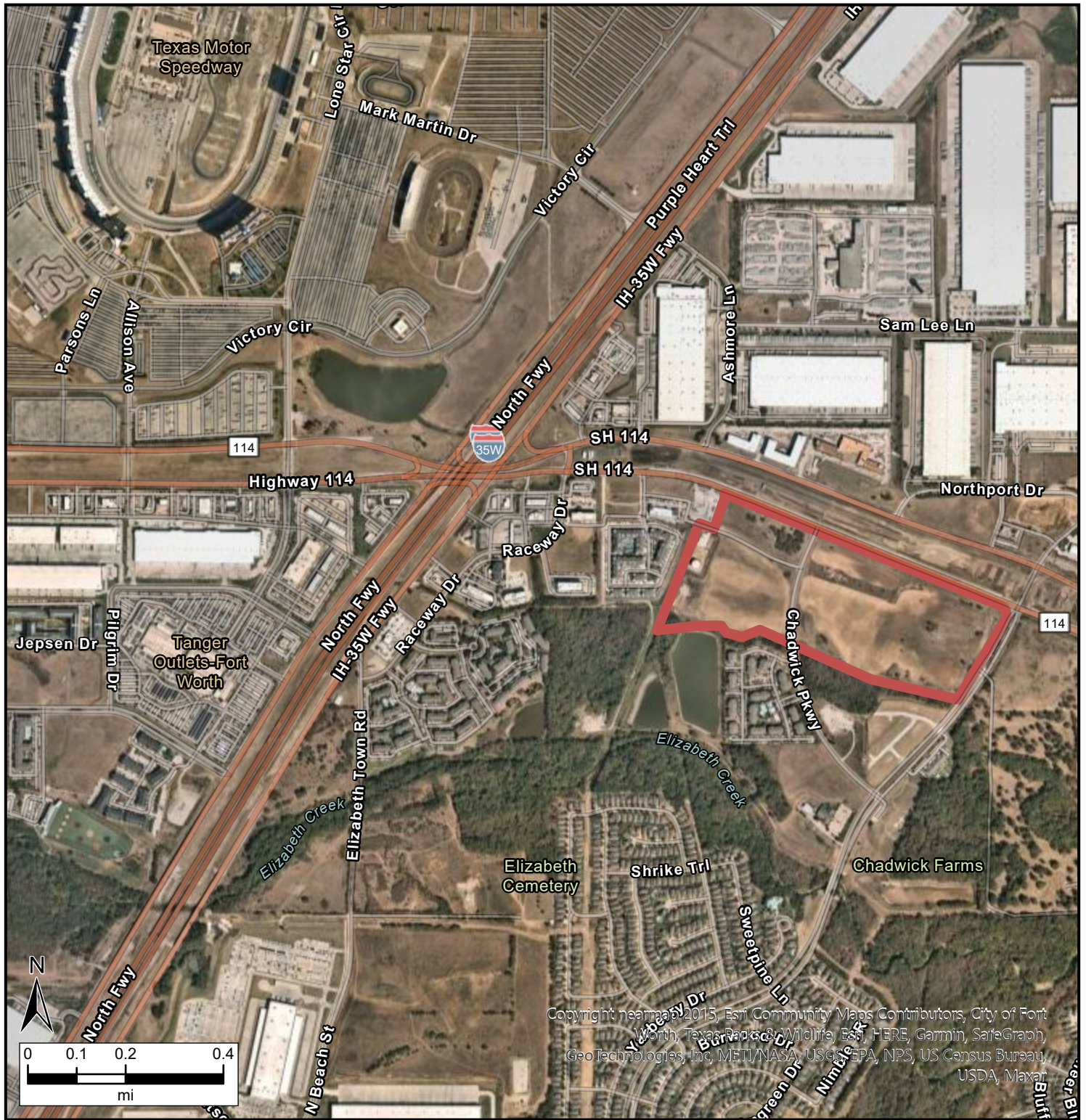
Town of Northlake Zoning

	Commercial		Mixed-Use\Planned Development
	Commerical\Planned Development		HUD Code Manufactured Housing
	Neighborhood Commercial		Rural Residential min 5 ac
	Industrial		Rural Estate min 1 ac
	Industrial\Planned Development		Rural Estate\Planned Development min 1 ac
			Agricultural



Date: 11/16/2023

Northlake



Legend

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Unified Development Cod (UDC)

SUBJECT: Consider an Ordinance approving a Specific Use Permit (SUP) for gas drilling and production of three additional wells, Cole Frazier 3 (AW) 3H, 4 (AW) 4H, and 5 (AW) U5H, on an existing 3.29-acre pad site, being a portion of a 133.925-acre tract of land situated in the Patrick Rock Survey, Abstract No. 1063, and located approximately 2,600 feet east of Faught Road and 2,000 feet south of Robson Ranch Road. Case # SUP-23-001

- i. Public Hearing
- ii. Consider Approval

GOALS/ OBJECTIVES: Advance Northlake's Interests/Effectively plan and manage ahead of state restrictions

BACKGROUND INFORMATION:

Site: A 3.29-acre pad site, being a portion of a 133.925-acre tract of land situated in the Patrick Rock Survey, Abstract No. 1063, and located approximately 2,600 feet east of Faught Road and 2,000 feet south of Robson Ranch Road

Owner: DF Pacific #2 LTD & Silverstone Northlake LTD

Applicant/Lessee: BKV Barnett LLC

Proposed Use: Gas drilling and production of three additional wells, Cole Frazier 3 (AW) 3H, 4 (AW) 4H, and 5 (AW) U5H, on an existing gas well pad site

Staff Analysis: Staff has reviewed this application in accordance with the Unified Development Code (UDC). The applicant has provided a specific use permit (SUP) application with a site plan in accordance with the UDC. The SUP application appears to meet the minimum requirements outlined in the UDC for consideration. The proposed location of the wells shown on the site plan meets all setback requirements for gas wells as outlined in Sec. 13.4 of the UDC. The following criteria for approval of an SUP is outlined in the UDC.

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
5. The proposed use incorporates roadway adjustments, traffic control

devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;

6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties;
7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood;
8. The proposed use and associated site plan promote the health, safety or general welfare of the Town and the safe, orderly, efficient and healthful development of the Town; or
9. Other criteria which, at the discretion of the P&Z and Town Council are deemed relevant and important in the consideration of the SUP.

Public Hearing:

A public hearing is required prior to acting on the SUP request. Public hearing notices were mailed to Northlake property owners within 200 feet, signs posted, and notice was published in the Denton Record Chronicle and on the Town's website. As of December 7th one written comment has been received which is attached.

P&Z Action:

- November 28 meeting
 - Held public hearing with following speaker:
 - Lisa Galvin - Did not state whether for or against but asked questions about location of wells and expressed need for noise abatement
 - Recommended approval of SUP with following conditions:
 1. Sound walls to be required during fracking and drilling for noise abatement
 2. Abatement measures for sound, lighting, and runoff shall be required

COUNCIL ACTION/DIRECTION:

- Hold public hearing
- Approve, approve with conditions, or disapprove of Specific Use Permit (SUP) request



**TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE**

NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, AMENDING ORDINANCE NO. 13-0124A, THE NORTHLAKE UNIFIED DEVELOPMENT CODE AS AMENDED, BY APPROVING A SPECIFIC USE PERMIT ("SUP") TO AUTHORIZE GAS DRILLING/PRODUCTION IN ACCORDANCE WITH CERTAIN CONDITIONS ON AN EXISTING 3.29-ACRE PAD SITE, BEING A PORTION OF A 133.925-ACRE TRACT OF LAND SITUATED IN THE PATRICK ROCK SURVEY, ABSTRACT NO. 1063; PROVIDING CERTAIN REGULATIONS FOR SAID SUP IN ACCORDANCE WITH THE EXHIBITS ATTACHED HERETO AND WITH THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE AND ALL OTHER APPLICABLE ORDINANCES OF THE TOWN; PROVIDING THAT THE ZONING MAP SHALL INDICATE "RR – SUP" FOR THE SUBJECT PROPERTY; 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, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

WHEREAS, the Town Council of the Town of Northlake heretofore adopted Ordinance No. 13-0124A establishing the Unified Development Code which contains the zoning regulations of the Town of Northlake; and

WHEREAS, the zoning regulations provide for gas drilling/production in the Rural Residential zoning district with approval of a "SUP" Specific Use Permit; and

WHEREAS, an application has been filed by the owner of certain property known as a 3.29-acre tract of land located in the Patrick Rock Survey, Abstract No. 1063, in the Town of Northlake, Denton County, Texas, as described in Exhibit "A", to change the zoning classification from "RR" Rural Residential to "RR – SUP"; and

WHEREAS, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication, and procedural requirements for zoning of property have been complied with; and

WHEREAS, upon review and consideration of the Planning and Zoning Commission following a public hearing at their meeting on November 28, 2023, the Planning and Zoning Commission recommended approval of the Specific Use Permit as provided herein; and

WHEREAS, a public hearing was held by the Town Council of the Town of Northlake on December 14, 2023 with respect to the SUP zoning application described herein; and

WHEREAS, the Town Council of the Town of Northlake does hereby deem it advisable and in the public interest to approve a Specific Use Permit for gas drilling/production on this property.

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

Section 1. All the above premises are true and correct legislative and factual findings of the Town Council, and they are hereby approved, ratified, and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The 3.29-acre Cole Frazier Pad Site described in Exhibit “A” shall be zoned “RR – SUP (Gas Drilling/Production)” Rural Residential – Specific Use Permit with the Site Plan as provided in Exhibit “B” attached hereto and the requirements hereof, subject to the following conditions:

1. Sound walls shall be required during fracking and drilling for noise abatement.
2. Abatement measures for sound, lighting, and runoff shall be required to ensure all requirements of Article 13 of the Northlake Unified Development Code are met.

Section 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall be punished in accordance to Section 1.01.009 of the Town of Northlake Code of Ordinances, and no penalty shall be greater or less than the penalty provided for the same or a similar offense under the laws of the state.

Section 4. 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 5. 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 6. 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 7. This Ordinance shall be in full force and effect from and after its passage and/or publication as required by law.

PASSED AND APPROVED by the Town Council of the Town of Northlake, Texas, on December 14, 2023.

Town of Northlake, Texas

David Rettig, Mayor

Attest:

Zolaina Parker, Town Secretary

EXHIBIT A
PROPERTY DESCRIPTION

All that certain 3.29 acre tract or parcel of land situated in the P. Rock Survey, Abstract Number 1063 in the County of Denton, State of Texas, said tract being part of a called 29.574 acre tract as described in deed to D-F Pacific No. 2, Ltd, and Silverstone-Northlake Ltd., filed 09 July 2007, and recorded in clerks instrument number 2007-80858 of the Official Public Records, and being part of a called 248.078 acre tract as described in deed to D.F. Pacific No. 2, Ltd., and Silverstone Northlake Ltd., filed 09 July 2007, and recorded in clerks instrument number 2007-80851 of said official public records, and being more particularly described as follows;

BEGINNING at a T-post for the southwest corner of this pad site, said T-Post being North 34 degrees 08 minutes 51 seconds East, a distance of 630.05 feet from a found iron rod being the southwest corner of said D-F tract, a distance of 630.05 feet;

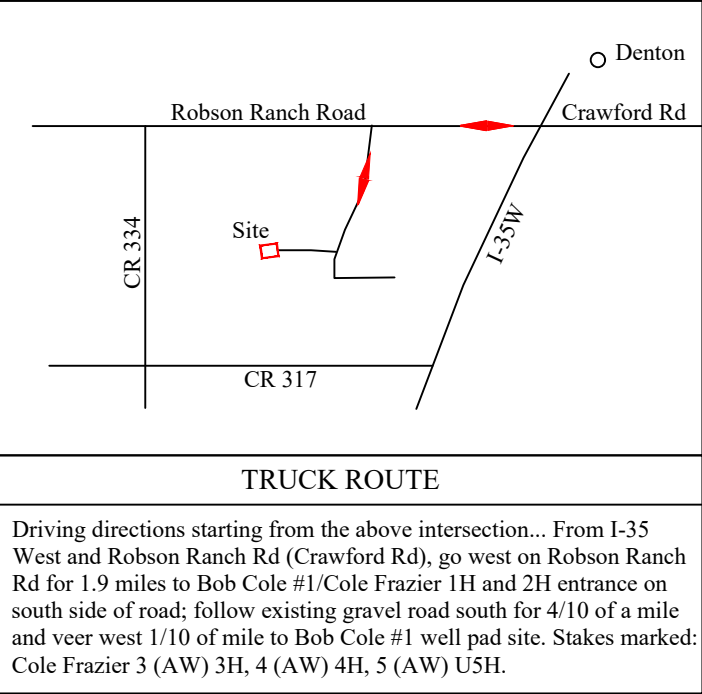
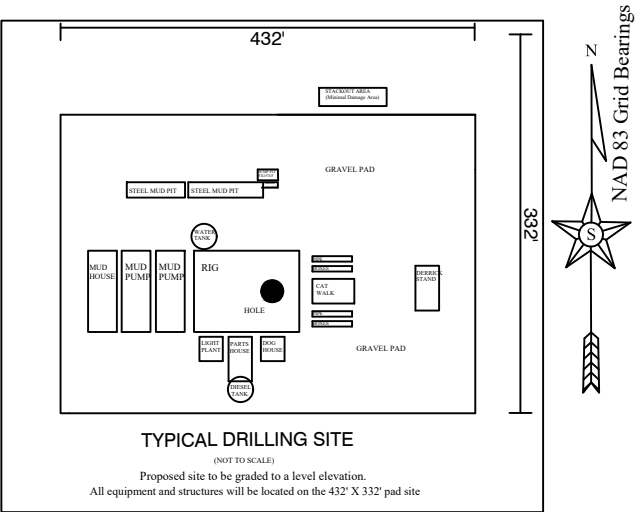
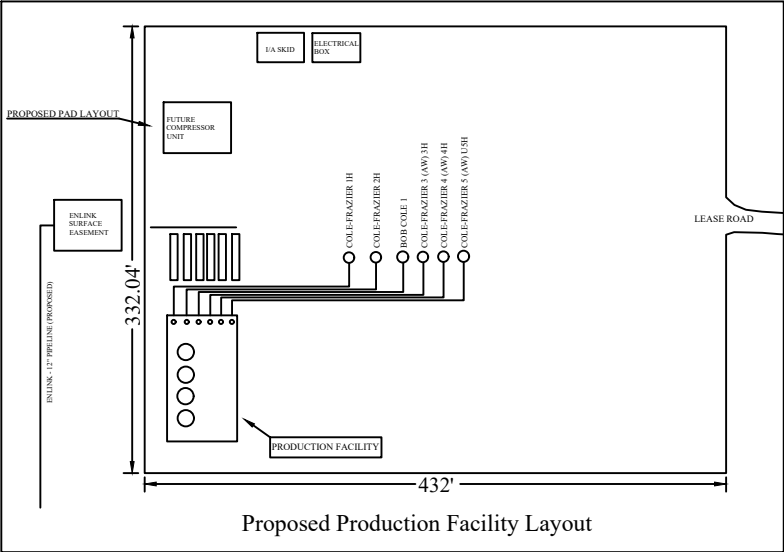
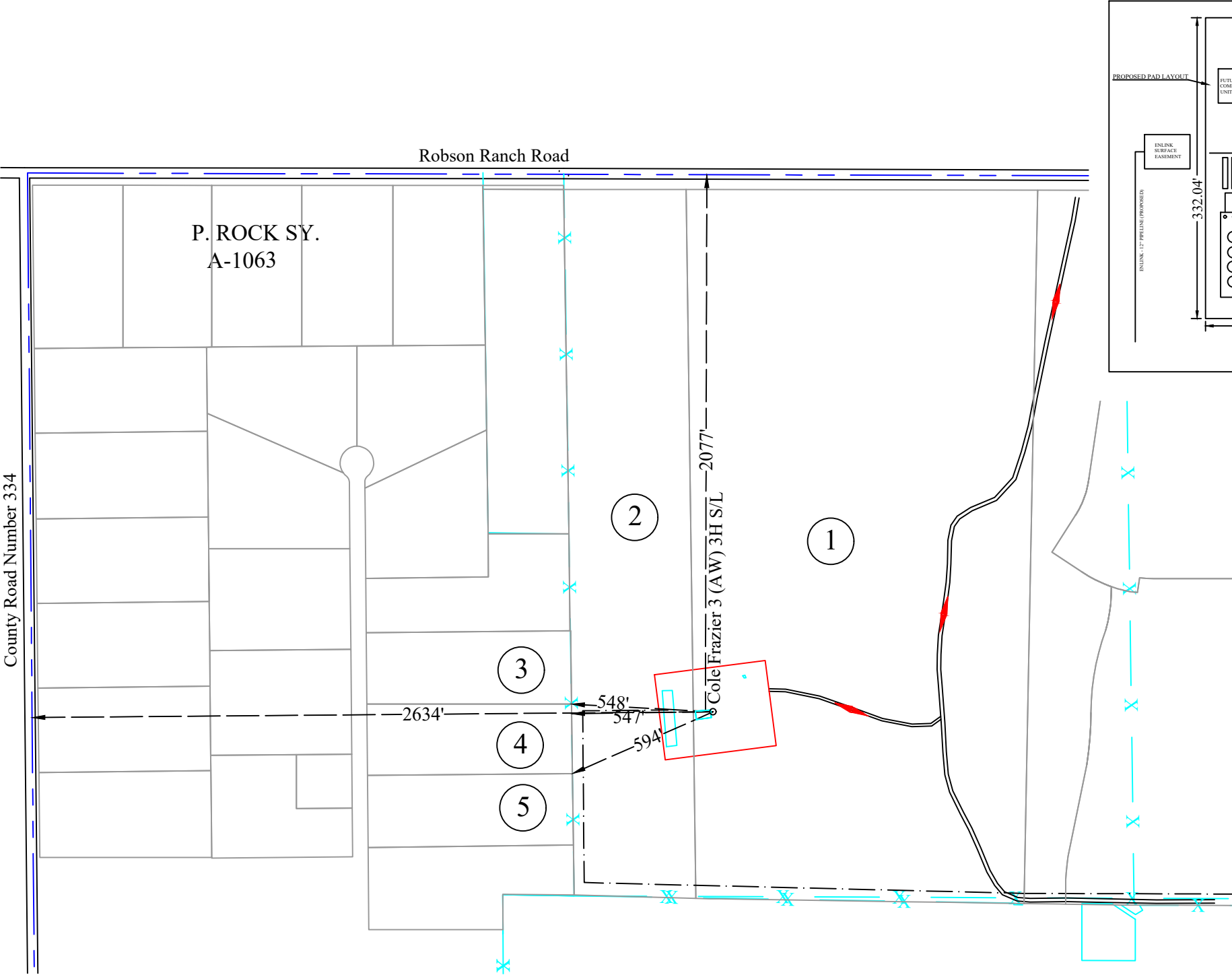
THENCE North 07 degrees 18 minutes 23 seconds West for a distance of 332.04 feet to a T-Post for the northwest corner of this pad site;

THENCE North 82 degrees 41 minutes 37 seconds East for a distance of 432.00 feet to a T-Post for the northeast corner of this pad site;

THENCE South 07 degrees 18 minutes 23 seconds East for a distance of 332.047 feet to a T-Post for the southeast corner of this pad site;

THENCE South 82 degrees 41 minutes 37 seconds West for a distance of 432.00 feet to the place of beginning.

EXHIBIT B



Survey Line Distances

Location is 2634' FWL & 2077' FNL of the P. Rock Survey, A-1063

LEGEND:

- SURVEY LINE
- SURFACE LOCATION
- ROADS
- PAD SITE
- FENCE LINE
- EXISTING PIPELINE
- TRUCK ROUTE

Zoning: Agriculture
Land Use: Native Pasture III
Proposed Use: Oil & Gas

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



ERIC BRENNAN, TEXAS
REGISTERED PROFESSIONAL
LAND SURVEYOR
NUMBER 5560

Applicant: BKV BARNETT, LLC
Well Name: Cole Frazier 3 (AW) 3H
Gas Well Site Plans
Town of Northlake
Denton County, Texas

OWEN SURVEYING CO.

FIRM #10069000 WWW.OWENSURVEYING.COM
110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424
PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

CITY PERMIT PLAT: DENTON COUNTY
DRAWN BY: CH CHECKED BY: EB

Scale 1"=500' Date 09/06/2023 Print Number DE-523L3AWcity Page 1 of 3

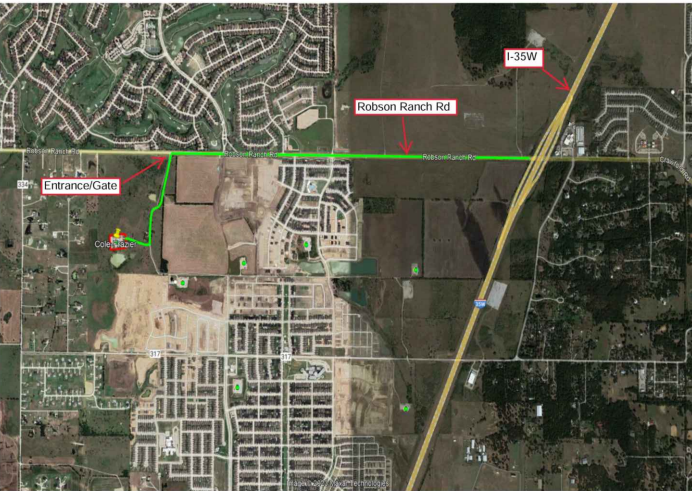


LEGEND:	
SURVEY LINE	---
SURFACE LOCATION	o
ROADS	==
PAD SITE	---
FENCE LINE	x x x
EXISTING PIPELINE	---
TRUCK ROUTE	---



Nearest City:	Northlake, TX
Nearest Intersection:	I-35W and Robson Ranch Road (Crawford Rd)
City Limits:	Northlake, TX

Driving Directions starting from the above intersection... From I-35 West and Robson Ranch Rd (Crawford Rd), go west on Robson Ranch Rd for 1.9 miles to Bob Cole #1 / Cole Frazier 1H and 2H entrance on south side of road; follow existing gravel road south for 4/10 of a mile and veer west 1/10 of mile to Bob Cole #1 well pad site. Stakes marked: Cole Frazier 3 (AW) 3H, 4 (AW) 4H, 5 (AW) U5H.



1. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR LEASE LINES, EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE. CONTRACTORS ARE RESPONSIBLE FOR LOCATING ALL EASEMENTS.

2. NOTE: FOR SURVEY CONSTRUCTION, CORNER DESCRIPTIONS AND RECORD REFERENCES, SEE SUPPORTING DOCUMENTS IN FILE.

3. THIS PLAT IS NOT A BOUNDARY SURVEY OF THE LANDS SHOWN. THIS PLAT WAS PREPARED AS REQUESTED BY THE CLIENT DEPICTED ON THIS PLAT, FOR THE EXCLUSIVE PURPOSE TO SUBMIT TO THE CITY OF NORTHLAKE.

COLE FRAZIER 3 (AW) 3H:
Ground Level Elevation: 743'
NAD 83 N: 7094762 E: 2352619 NCTZ
NAD 83 Lat. 33°07'32.41" Long. -97°14'42.77"

There are no structures within 600'

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



ERIC BRENNAN, TEXAS
REGISTERED PROFESSIONAL
LAND SURVEYOR
NUMBER 5560

Applicant: BKV BARNETT, LLC
Well Name: Cole Frazier 3 (AW) 3H
Site Plan "A"
Town of Northlake
Denton County, Texas

OWEN SURVEYING CO.

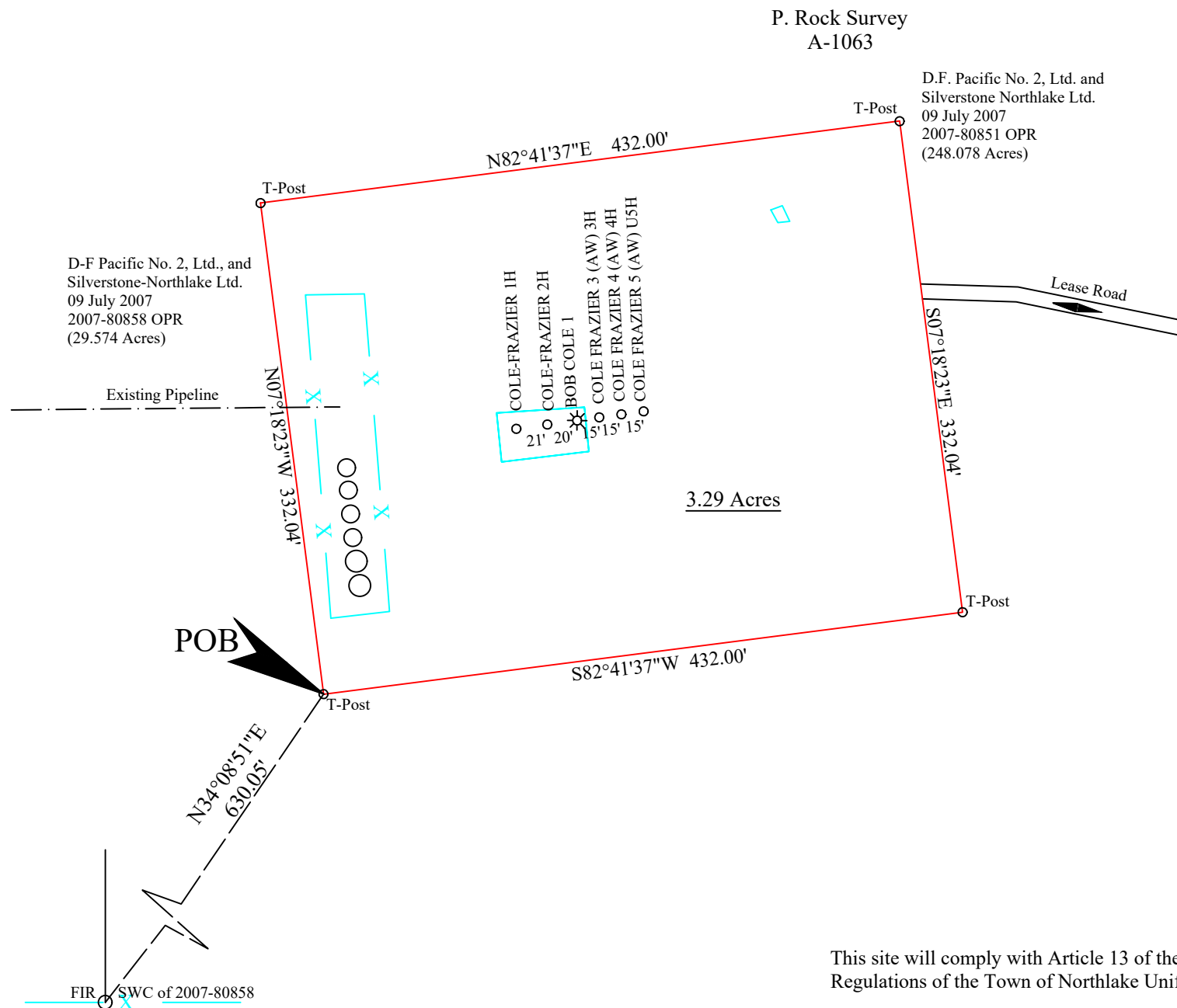
FIRM #10069000 WWW.OWENSURVEYING.COM
110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424
PHONE (254) 559-9898 FAX (254) 559-7372 CELL (254) 559-0127

CITY PERMIT PLAT: DENTON COUNTY
DRAWN BY: CH CHECKED BY: EB

Scale 1"=200' Date 09/06/2023 Print Number DE-523L3AWcity Page 2 of 3

LEGEND:

SURVEY LINE	---
PROPOSED WELLS	○
EXISTING WELLS	⊗
ROADS	==
PAD SITE	---
FENCE LINE	-x-x-
EXISTING PIPELINE	- - -
TRUCK ROUTE	→



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This site will comply with Article 13 of the Oil and Gas Well Drilling Regulations of the Town of Northlake Unified Development Code.

According to the FEMA's Flood Insurance Rate Map for the County of Denton, State of Texas Community Panel Number 48121-C effective date of 18 April 2011 the map indicates that this location is not in Zone A (the 100 year flood plain) as shown on Panel Number 365G of said map.

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



ERIC BRENNAN, TEXAS
REGISTERED PROFESSIONAL
LAND SURVEYOR
NUMBER 5560

Applicant: BKV BARNETT, LLC
Well Name: Cole Frazier 3 (AW) 3H
Site Plan "B"
Town of Northlake
Denton County, Texas

OWEN SURVEYING CO.

FIRM #10069000 WWW.OWENSURVEYING.COM
110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424
PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

PAD SITE PLAT: WISE COUNTY
DRAWN BY: CH CHECKED BY: EB

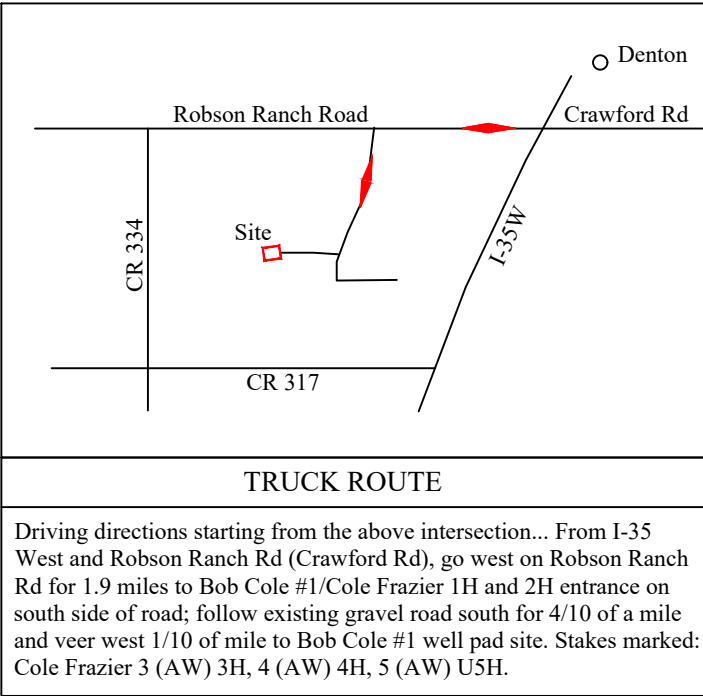
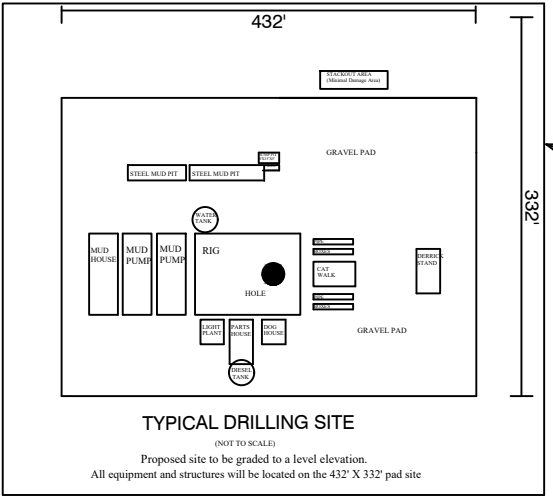
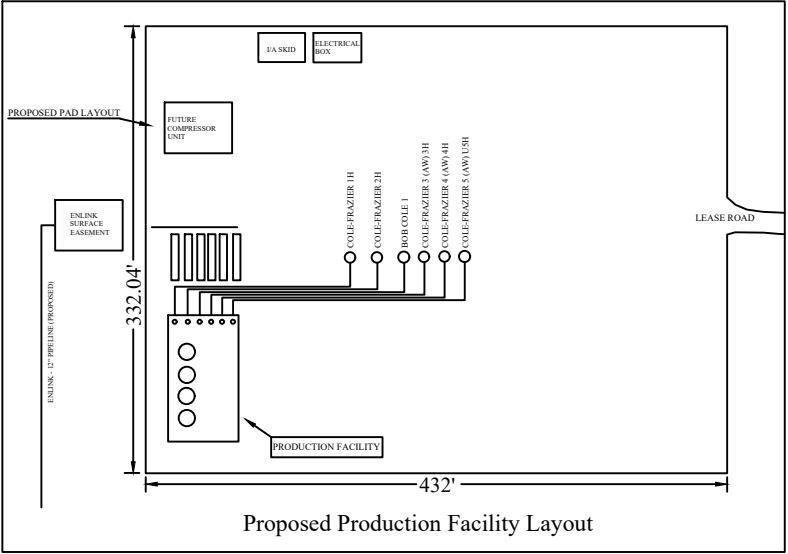
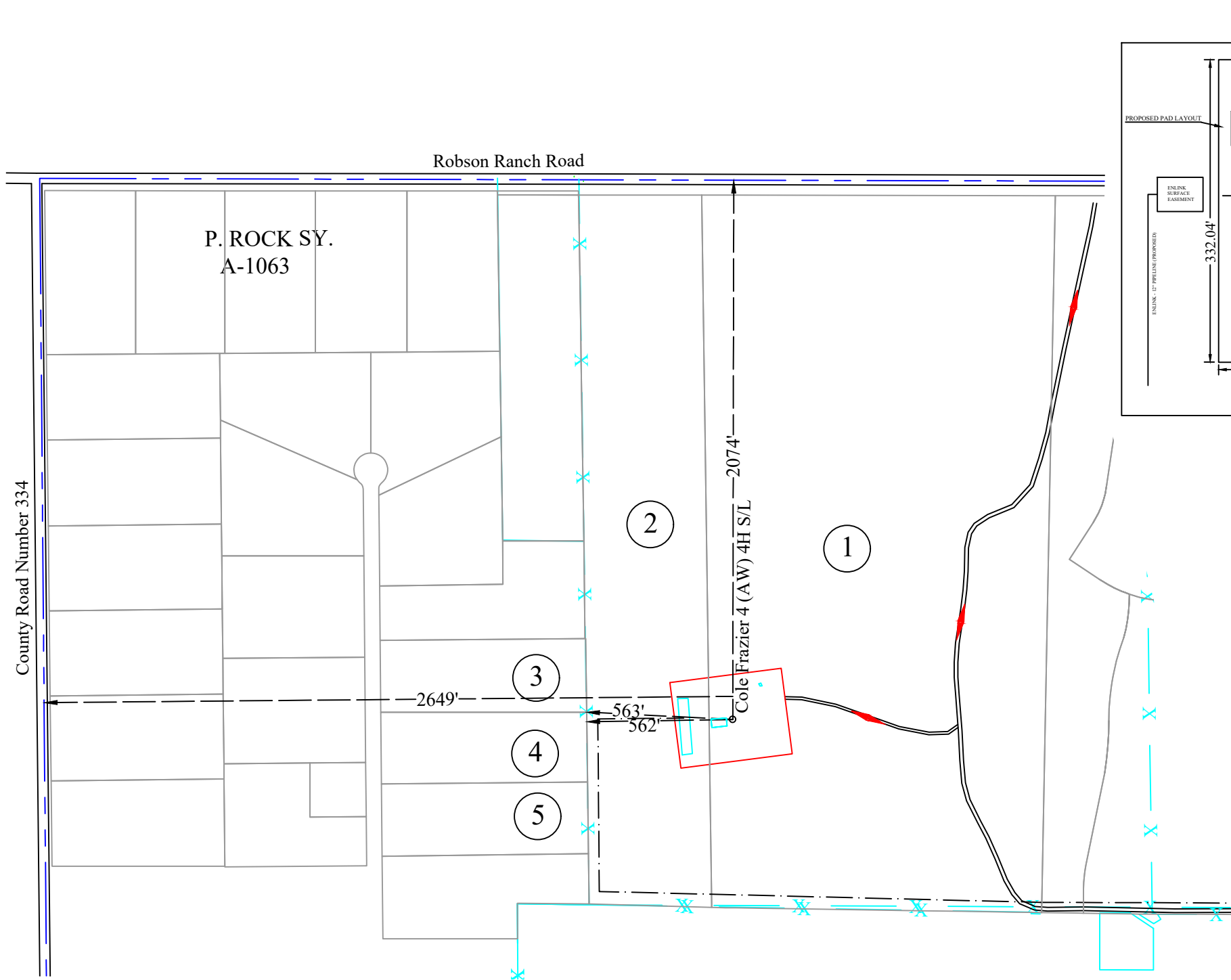
Scale 1"=100'	Date 09/06/2023	Print Number DE-523L3AW	Page 3 of 3
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3 THIS PLAT IS A PAD SITE SURVEY OF THE LANDS SHOWN. THIS PLAT WAS PREPARED AS REQUESTED BY THE CLIENT DEPICTED ON THIS PLAT, FOR THE EXCLUSIVE PURPOSE TO SUBMIT TO THE CITY OF NORTHLAKE.

COLE FRAZIER 3 (AW) 3H:
Ground Level Elevation:743'



This site will comply with Article 13 of the Oil and Gas Well Drilling Regulations of the Town of Northlake Unified Development Code.

Survey Line Distances

Location is 2649' FWL & 2074' FNL of the P. Rock Survey, A-1063

LEGEND:

SURVEY LINE ————

SURFACE LOCATION ○

ROADS ————

PAD SITE ————

FENCE LINE — x — x —

EXISTING PIPELINE ————

TRUCK ROUTE ————

Zoning: Agriculture
Land Use: Native Pasture III
Proposed Use: Oil & Gas

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



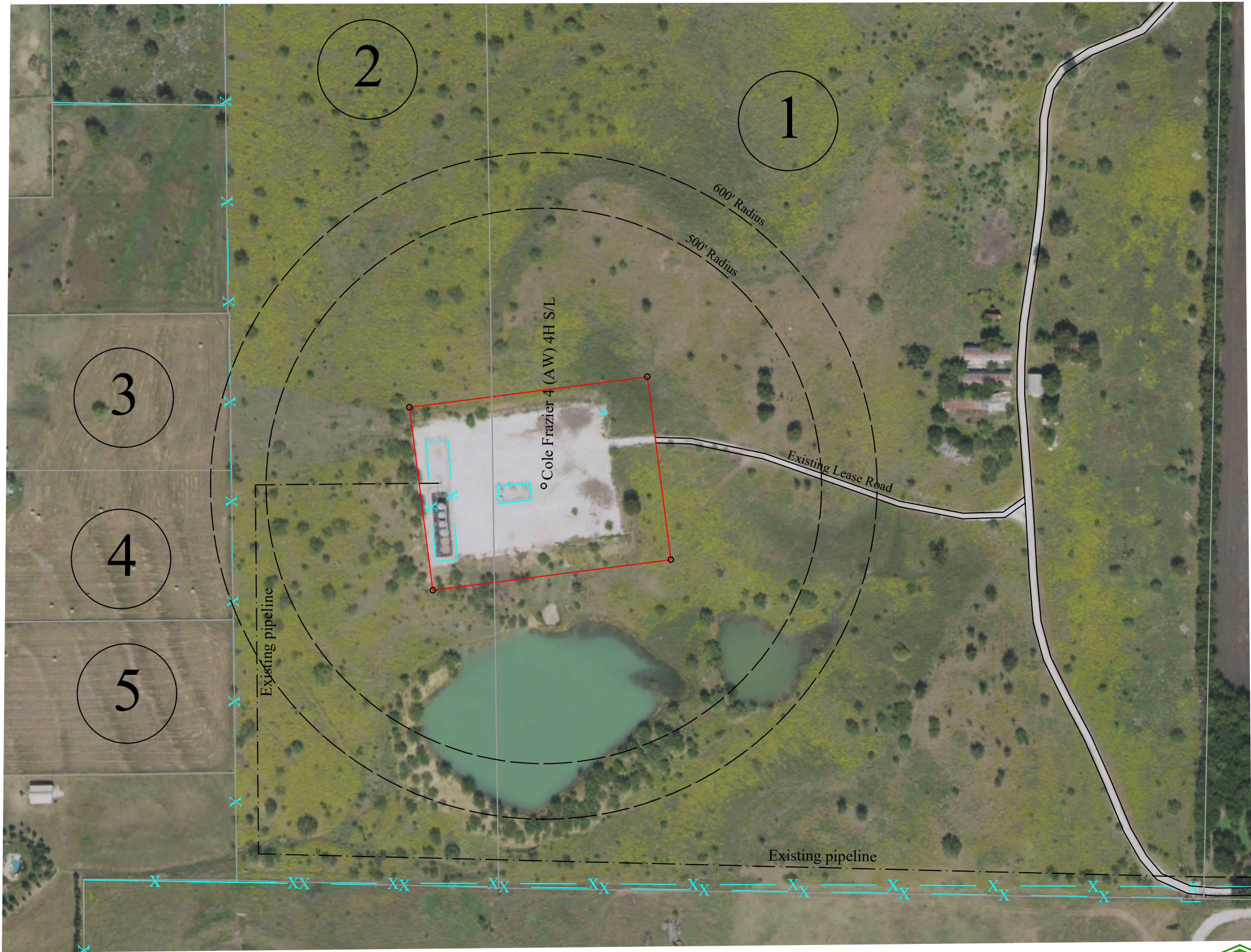
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CITY PERMIT PLAT: DENTON COUNTY
DRAWN BY: CH CHECKED BY: EB

Scale 1"=500' Date 09/06/2023 Page 1 of 3
DE-523L4AWcity



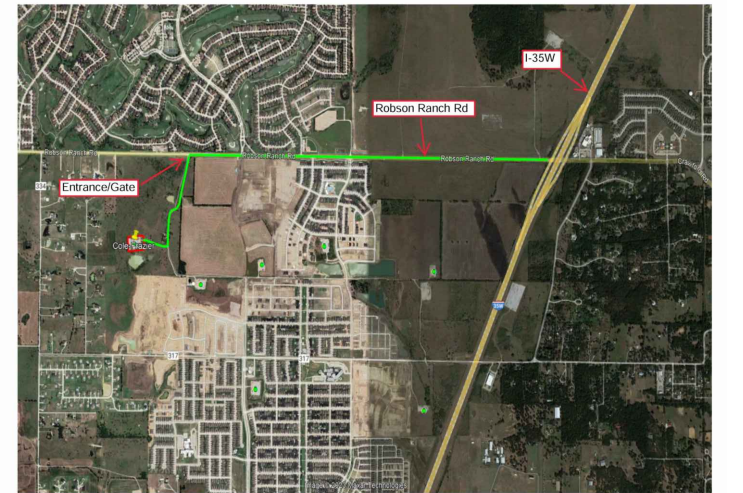
LEGEND:

SURVEY LINE	---
PROPOSED WELLS	○
ROADS	==
PAD SITE	---
FENCE LINE	-x-x-
EXISTING PIPELINE	-.-.-
TRUCK ROUTE	→



Nearest City:	Northlake, TX
Nearest Intersection:	I-35W and Robson Ranch Road (Crawford Rd)
City Limits:	Northlake, TX

Driving Directions starting from the above intersection... From I-35 West and Robson Ranch Rd (Crawford Rd), go west on Robson Ranch Rd for 1.9 miles to Bob Cole #1 / Cole Frazier 1H and 2H entrance on south side of road; follow existing gravel road south for 4/10 of a mile and veer west 1/10 of mile to Bob Cole #1 well pad site. Stakes marked: Cole Frazier 3 (AW) 3H, 4 (AW) 4H, 5 (AW) U5H.



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Ground Level Elevation: 743'
NAD 83 N: 7094764 E: 2352634 NCTZ
NAD 83 Lat. 33°07'32.43" Long. -97°14'42.59"

There are no structures within 600'

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



ERIC BRENNAN, TEXAS
REGISTERED PROFESSIONAL
LAND SURVEYOR
NUMBER 5560

200 0 200
SCALE: 1"=500'

Applicant: BKV BARNETT, LLC
Well Name: Cole Frazier 4 (AW) 4H
Site Plan "A"
Town of Northlake
Denton County, Texas

OWEN SURVEYING CO.

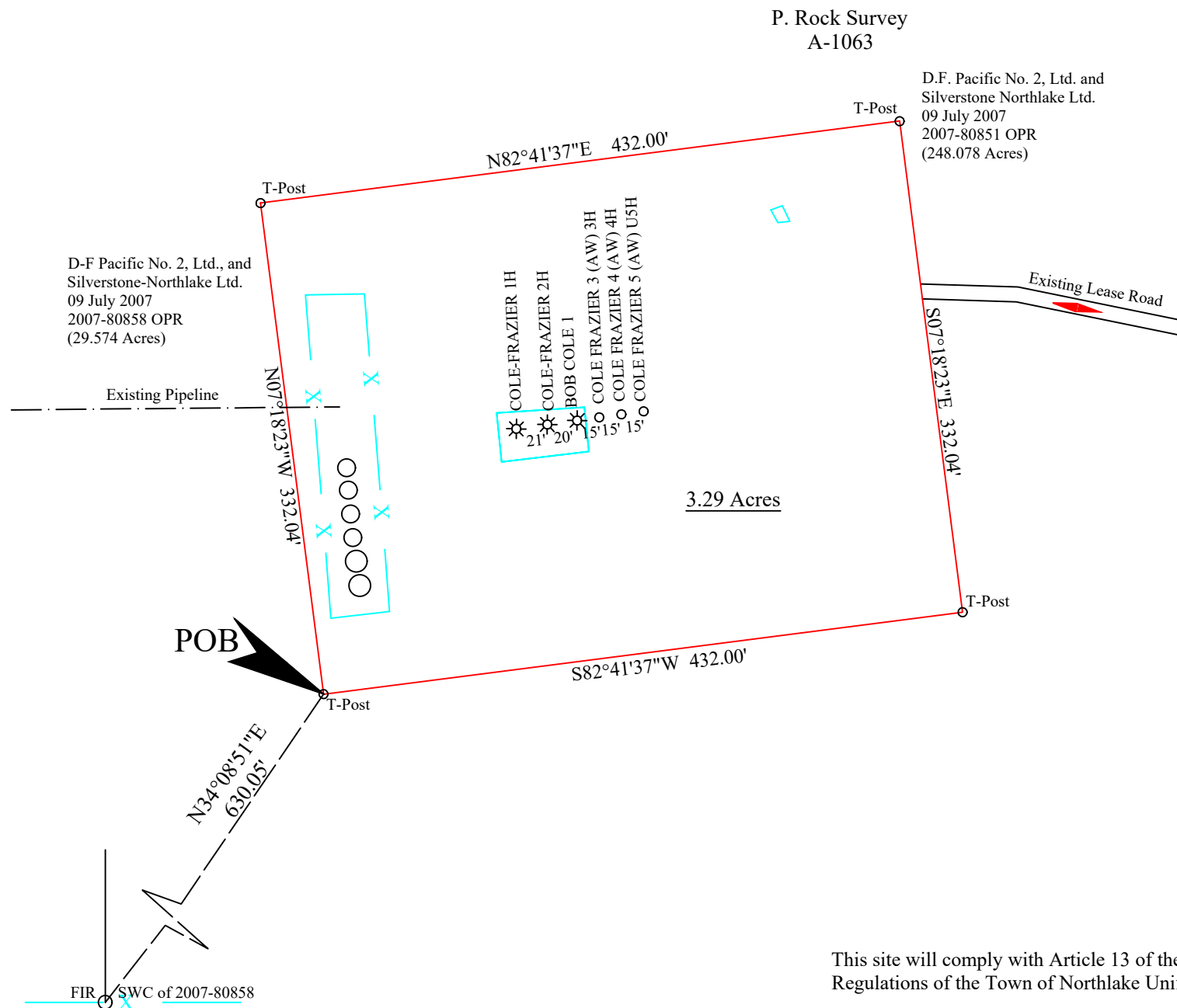
FIRM #10069000 WWW.OWENSURVEYING.COM
110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424
PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

CITY PERMIT PLAT: DENTON COUNTY
DRAWN BY: CH CHECKED BY: EB

Scale 1"=200' Date 09/06/2023 Print Number DE-523L4AWcity Page 2 of 3

LEGEND:

SURVEY LINE	---
PROPOSED WELLS	○
EXISTING WELLS	☼
ROADS	==
PAD SITE	---
FENCE LINE	-x-x-
EXISTING PIPELINE	-.-.-
TRUCK ROUTE	→



All that certain 3.29 acre tract or parcel of land situated in the P. Rock Survey, Abstract Number 1063 in the County of Denton, State of Texas, said tract being part of a called 29.574 acre tract as described in deed to D-F Pacific No. 2, Ltd, and Silverstone-Northlake Ltd., filed 09 July 2007, and recorded in clerks instrument number 2007-80858 of the Official Public Records, and being part of a called 248.078 acre tract as described in deed to D.F. Pacific No. 2, Ltd., and Silverstone Northlake Ltd., filed 09 July 2007, and recorded in clerks instrument number 2007-80851 of said official public records, and being more particularly described as follows;

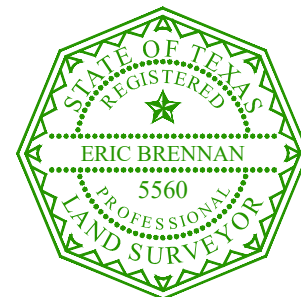
BEGINNING at a T-post for the southwest corner of this pad site, said T-Post being North 34 degrees 08 minutes 51 seconds East, a distance of 630.05 feet from a found iron rod being the southwest corner of said D-F tract, a distance of 630.05 feet;

THENCE North 07 degrees 18 minutes 23 seconds West for a distance of 332.04 feet to a T-Post for the northwest corner of this pad site;
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This site will comply with Article 13 of the Oil and Gas Well Drilling Regulations of the Town of Northlake Unified Development Code.

According to the FEMA's Flood Insurance Rate Map for the County of Denton, State of Texas Community Panel Number 48121-C effective date of 18 April 2011 the map indicates that this location is not in Zone A (the 100 year flood plain) as shown on Panel Number 365G of said map.

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



ERIC BRENNAN, TEXAS
REGISTERED PROFESSIONAL
LAND SURVEYOR
NUMBER 5560

Applicant: BKV BARNETT, LLC
Well Name: Cole Frazier 4 (AW) 4H
Site Plan "B"
Town of Northlake
Denton County, Texas

OWEN SURVEYING CO.

FIRM #10069000 WWW.OWENSURVEYING.COM
110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424
PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

PAD SITE PLAT: DENTON COUNTY
DRAWN BY: CH CHECKED BY: EB

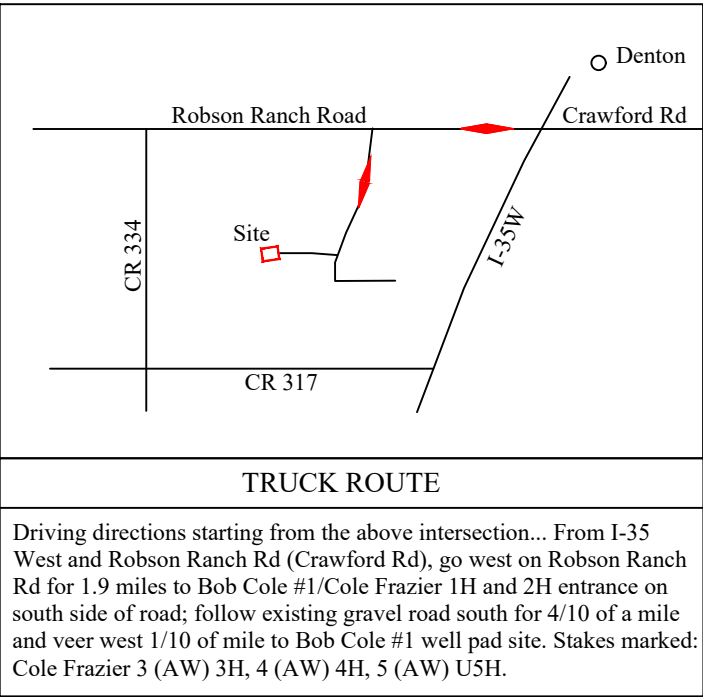
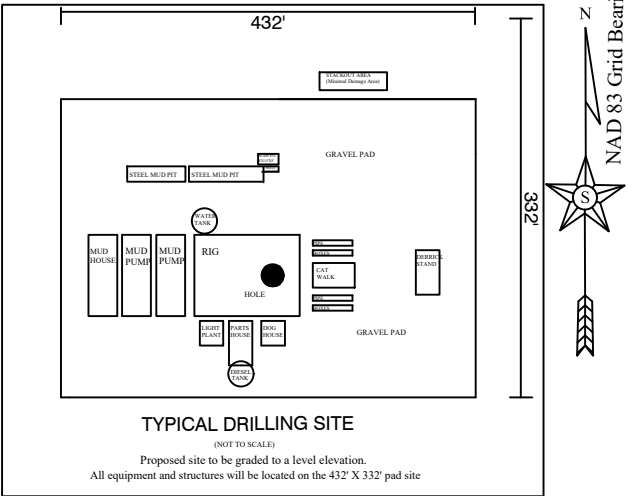
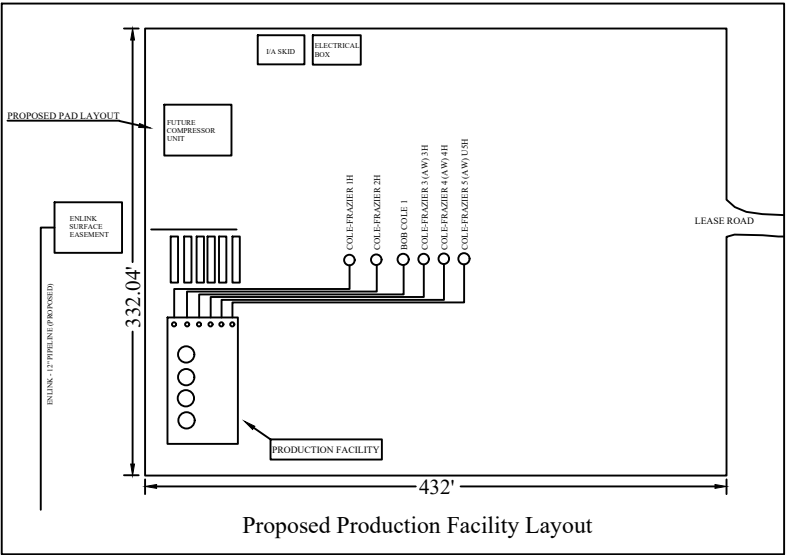
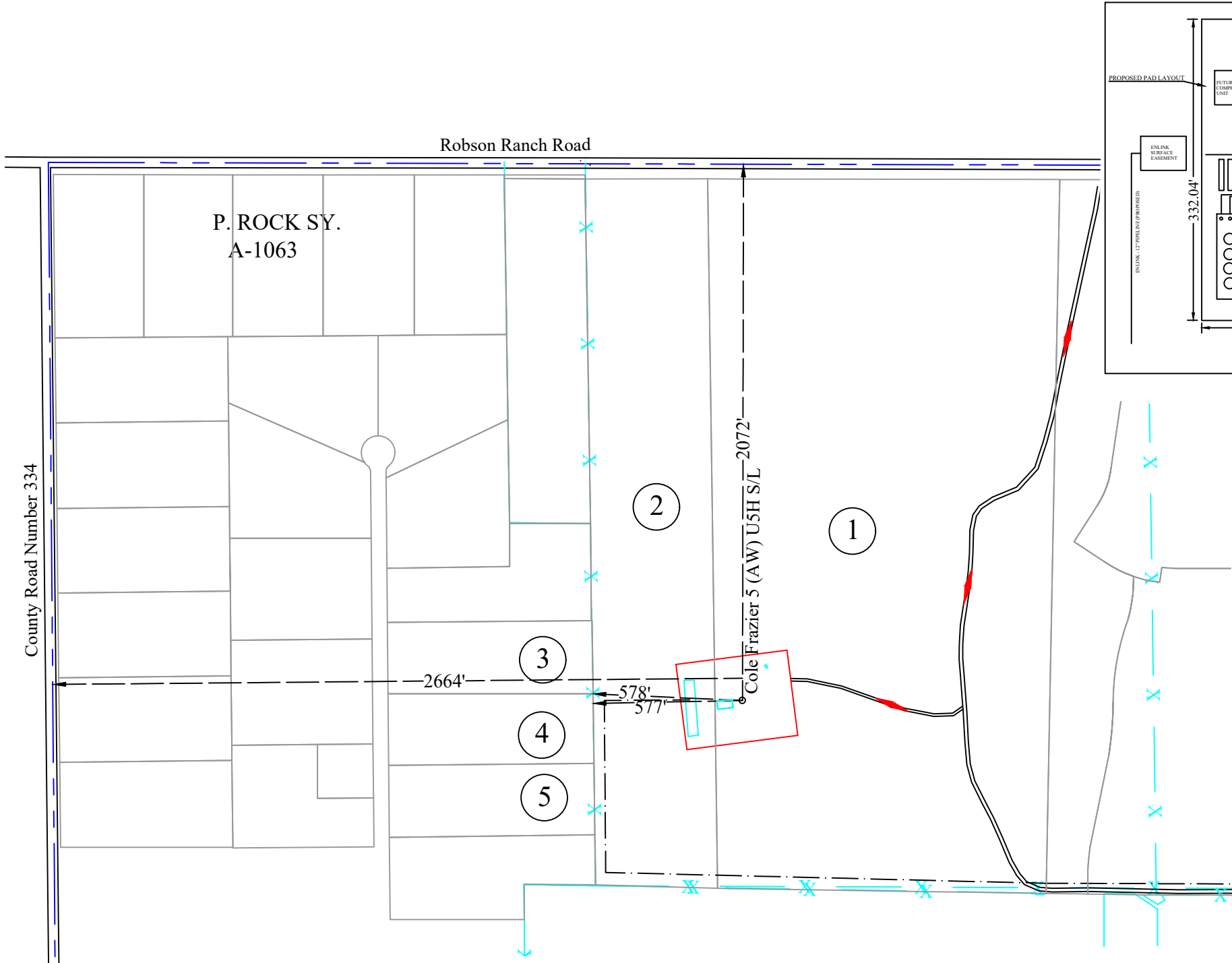
Scale 1"=100'	Date 09/06/2023	Print Number DE-523L4AW
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1. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR LEASE LINES, EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE. CONTRACTORS ARE RESPONSIBLE FOR LOCATING ALL EASEMENTS.

2. NOTE: FOR SURVEY CONSTRUCTION, CORNER DESCRIPTIONS AND RECORD REFERENCES, SEE SUPPORTING DOCUMENTS IN FILE.

3 THIS PLAT IS A PAD SITE SURVEY OF THE LANDS SHOWN. THIS PLAT WAS PREPARED AS REQUESTED BY THE CLIENT DEPICTED ON THIS PLAT, FOR THE EXCLUSIVE PURPOSE TO SUBMIT TO THE CITY OF NORTHLAKE.

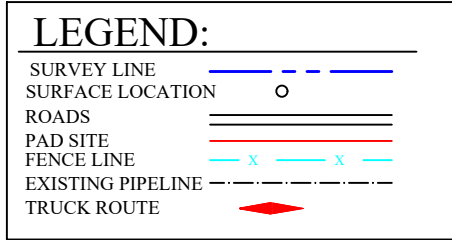
COLE FRAZIER 4 (AW) 4H:
Ground Level Elevation:743'



This site will comply with Article 13 of the Oil and Gas Well Drilling Regulations of the Town of Northlake Unified Development Code.

Survey Line Distances

Location is 2664' FWL & 2072' FNL of the P. Rock Survey, A-1063



Zoning: Agriculture
Land Use: Native Pasture III
Proposed Use: Oil & Gas

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



500 0 500
SCALE: 1"=500'

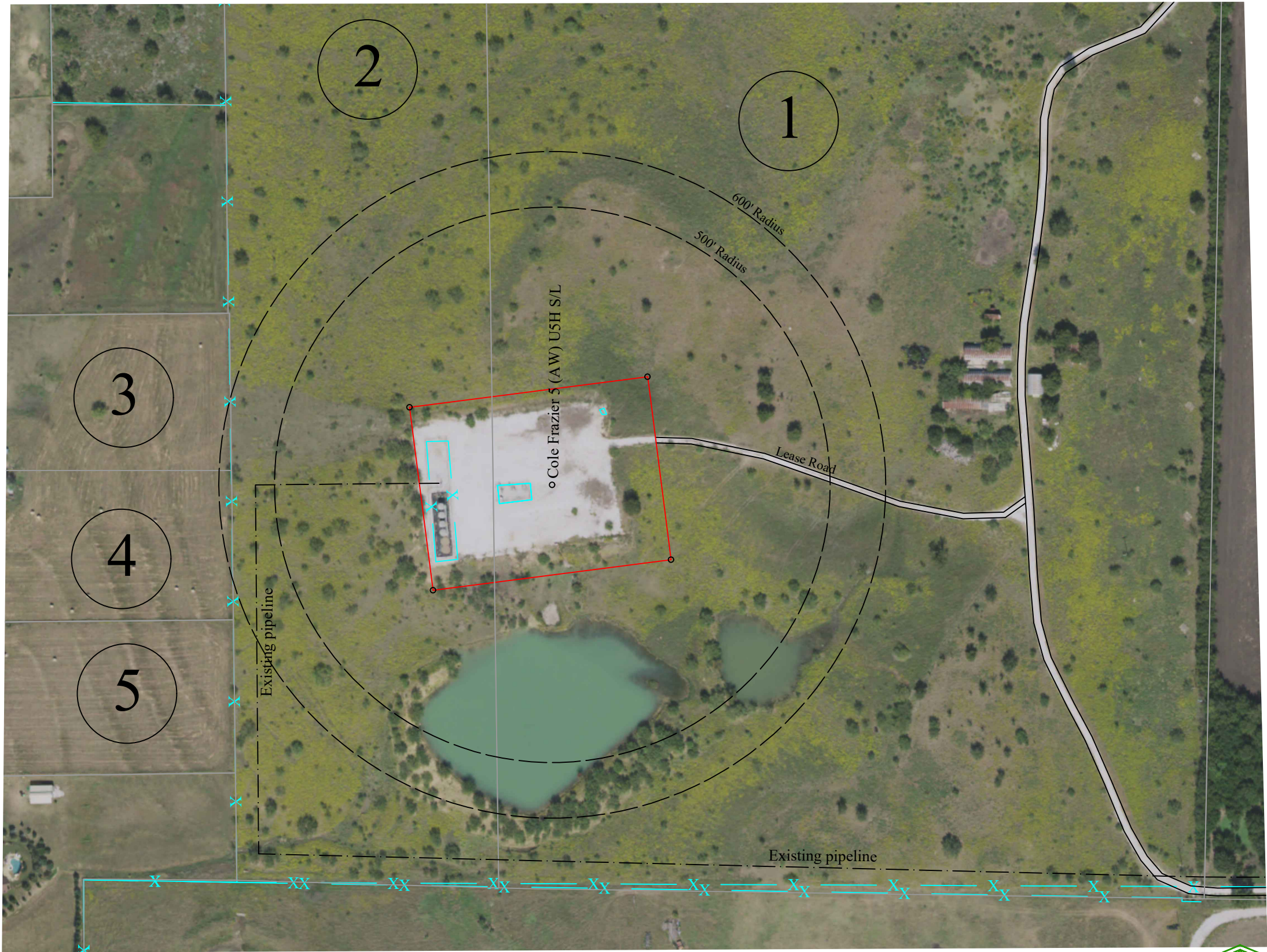
Applicant: BKV BARNETT, LLC
Well Name: Cole Frazier 5 (AW) U5H
Gas Well Site Plans
Town of Northlake
Denton County, Texas

OWEN SURVEYING CO.

FIRM #10069000 WWW.OWENSURVEYING.COM
110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424
PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

CITY PERMIT PLAT: DENTON COUNTY
DRAWN BY: CH CHECKED BY: EB

Scale 1"=500' Date 09/06/2023 Print Number DE-523L5AWcity Page 1 of 3



LEGEND:

SURVEY LINE

SURFACE LOCATION

ROADS

PAD SITE

FENCE LINE

EXISTING PIPELINE

TRUCK ROUTE

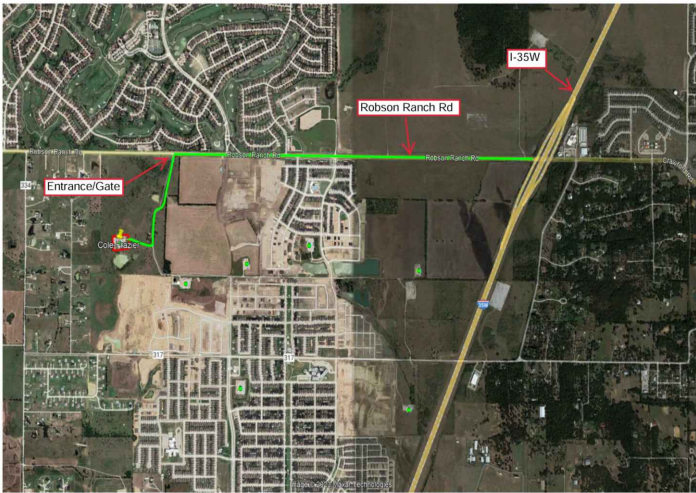
X

X



Nearest City:	Northlake, TX
Nearest Intersection:	I-35W and Robson Ranch Road (Crawford Rd)
City Limits:	Northlake, TX

Driving Directions starting from the above intersection... From I-35 West and Robson Ranch Rd (Crawford Rd), go west on Robson Ranch Rd for 1.9 miles to Bob Cole #1 / Cole Frazier 1H and 2H entrance on south side of road; follow existing gravel road south for 4/10 of a mile and veer west 1/10 of mile to Bob Cole #1 well pad site. Stakes marked: Cole Frazier 3 (AW) 3H, 4 (AW) 4H, 5 (AW) U5H.



1. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR LEASE LINES, EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE. CONTRACTORS ARE RESPONSIBLE FOR LOCATING ALL EASEMENTS.

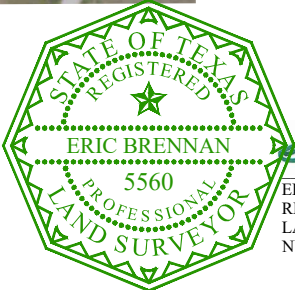
2. NOTE: FOR SURVEY CONSTRUCTION, CORNER DESCRIPTIONS AND RECORD REFERENCES, SEE SUPPORTING DOCUMENTS IN FILE.

3. THIS PLAT IS NOT A BOUNDARY SURVEY OF THE LANDS SHOWN. THIS PLAT WAS PREPARED AS REQUESTED BY THE CLIENT DEPICTED ON THIS PLAT, FOR THE EXCLUSIVE PURPOSE TO SUBMIT TO THE CITY OF NORTHLAKE.

COLE FRAZIER 5 (AW) U5H:
Ground Level Elevation:743'
NAD 83 N:7094766 E:2352649 NCTZ
NAD 83 Lat. 33°07'32.45" Long. -97°14'42.42"

There are no structures within 600'

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



ERIC BRENNAN, TEXAS
REGISTERED PROFESSIONAL
LAND SURVEYOR
NUMBER 5560

Applicant: BKV BARNETT, LLC
Well Name: Cole Frazier 5 (AW) U5H
Site Plan "A"
Town of Northlake
Denton County, Texas

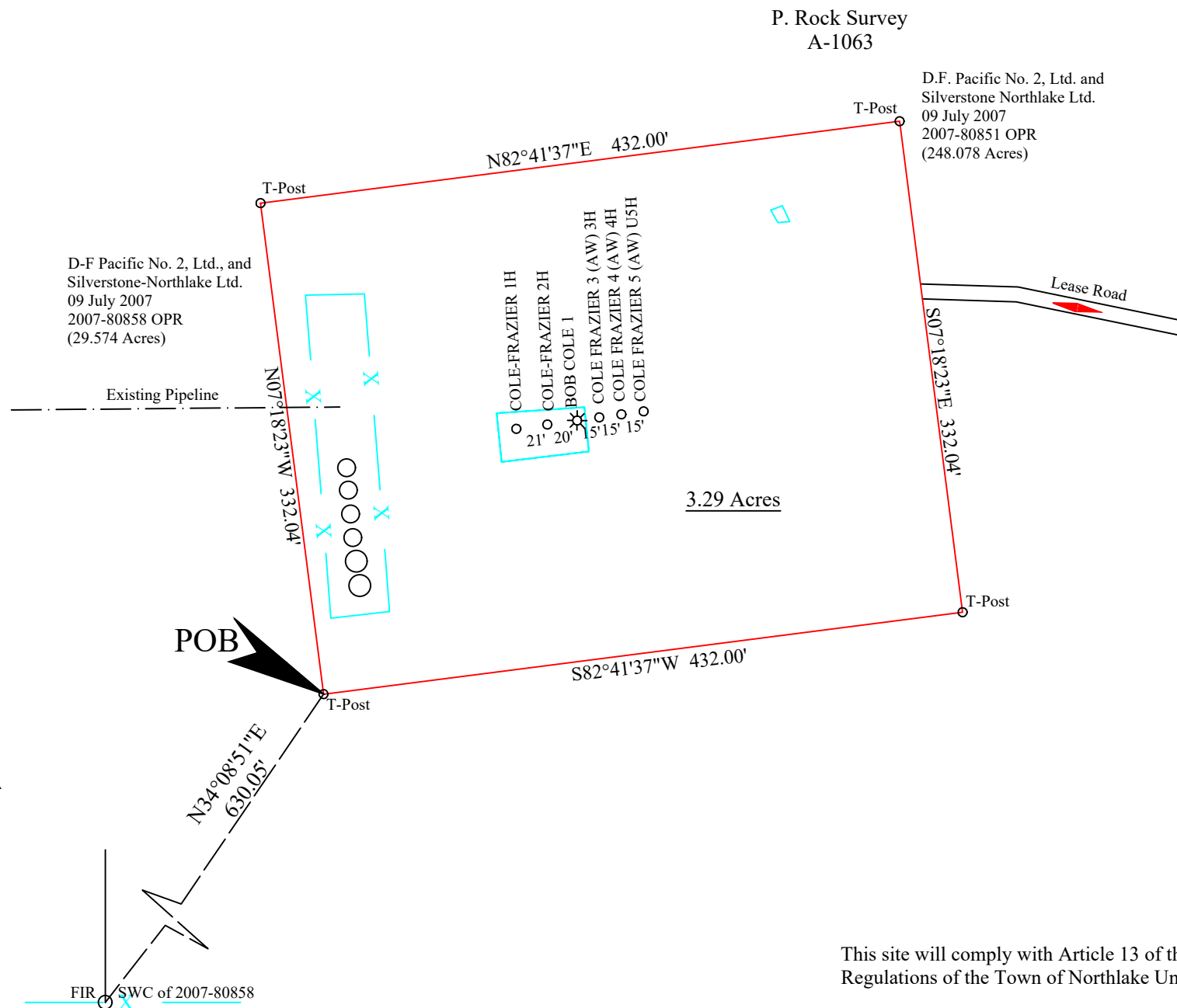
OWEN SURVEYING CO.
FIRM #10069000 WWW.OWENSURVEYING.COM
110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424
PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

CITY PERMIT PLAT: DENTON COUNTY
DRAWN BY: CH CHECKED BY: EB

Scale	Date	Print Number	Page 2 of 3
1"=200'	09/06/2023	DE-523L5AWcity	

LEGEND:

SURVEY LINE	---
PROPOSED WELLS	○
EXISTING WELLS	⊗
ROADS	==
PAD SITE	---
FENCE LINE	-x-x-
EXISTING PIPELINE	- - -
TRUCK ROUTE	→



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COLE FRAZIER 5 (AW) U5H:
Ground Level Elevation:743'

BKV BARNETT, LLC
4800 BLUE MOUND ROAD, FORT WORTH TX 76106
CONTACT: JACKIE MONTGOMERY (940) 536-0237



ERIC BRENNAN, TEXAS
REGISTERED PROFESSIONAL
LAND SURVEYOR
NUMBER 5560

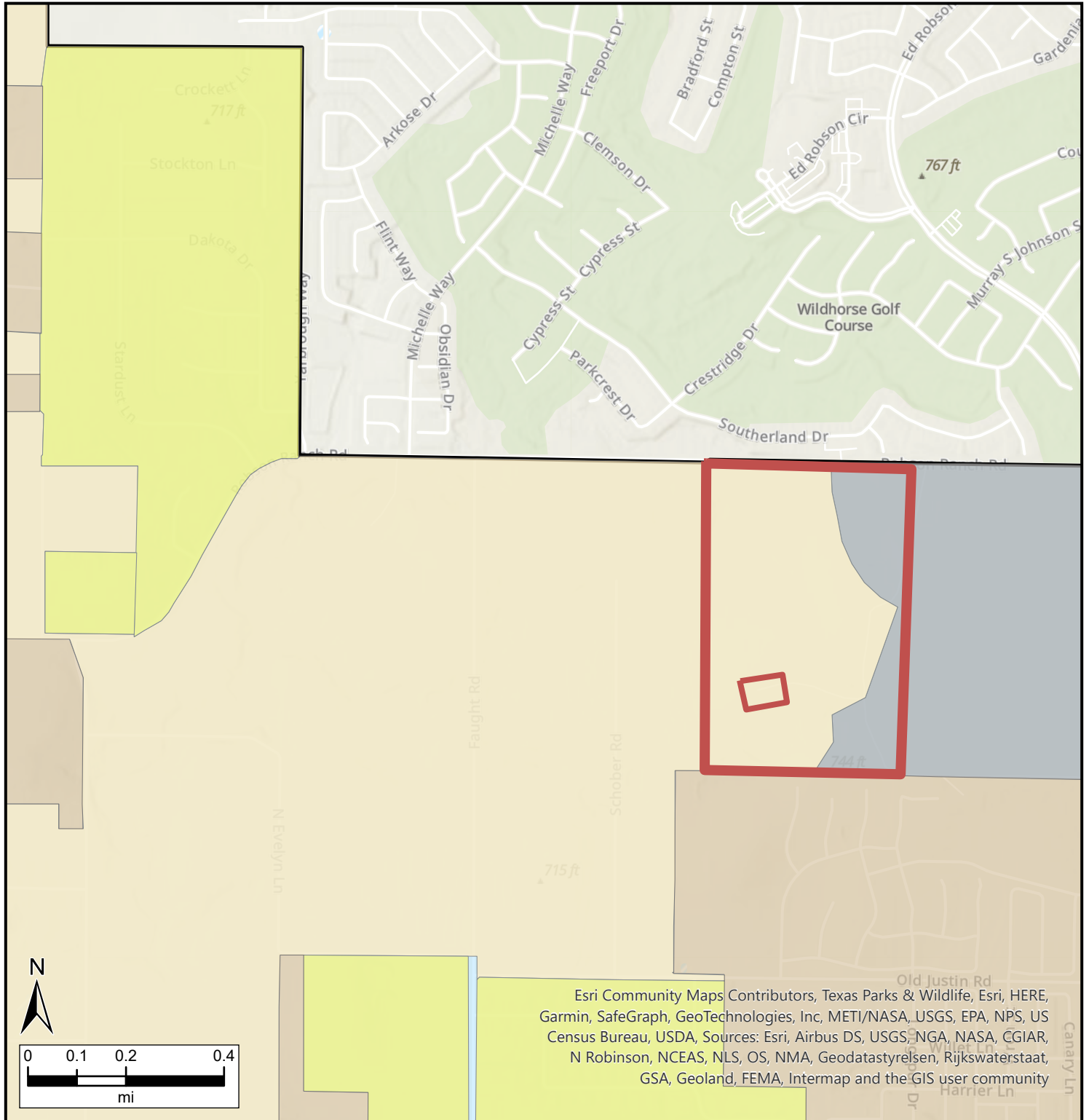
Applicant: BKV BARNETT, LLC
Well Name: Cole Frazier 5 (AW) U5H
Site Plan "B"
Town of Northlake
Denton County, Texas

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110 W. ELLIOTT ST., BRECKENRIDGE, TX 76424
PHONE (254)559-9898 FAX (254)559-7372 CELL (254)559-0127

PAD SITE PLAT: WISE COUNTY
DRAWN BY: CH CHECKED BY: EB

Scale 1"=100' Date 09/06/2023 Print Number DE-523L5AW Page 3 of 3

Northlake



Legend

Town of Northlake Zoning

- Commercial
- Commercial\Planned Development
- Neighborhood Commercial
- Industrial
- Industrial\Planned Development
- Mixed-Use\Planned Development
- HUD Code Manufactured Housing
- Rural Residential min 5 ac

- Rural Estate min 1 ac
- Rural Estate\Planned Development min 1 ac
- Agricultural
- Northlake Boundary

Town of Northlake Incorporated Area and ETJ

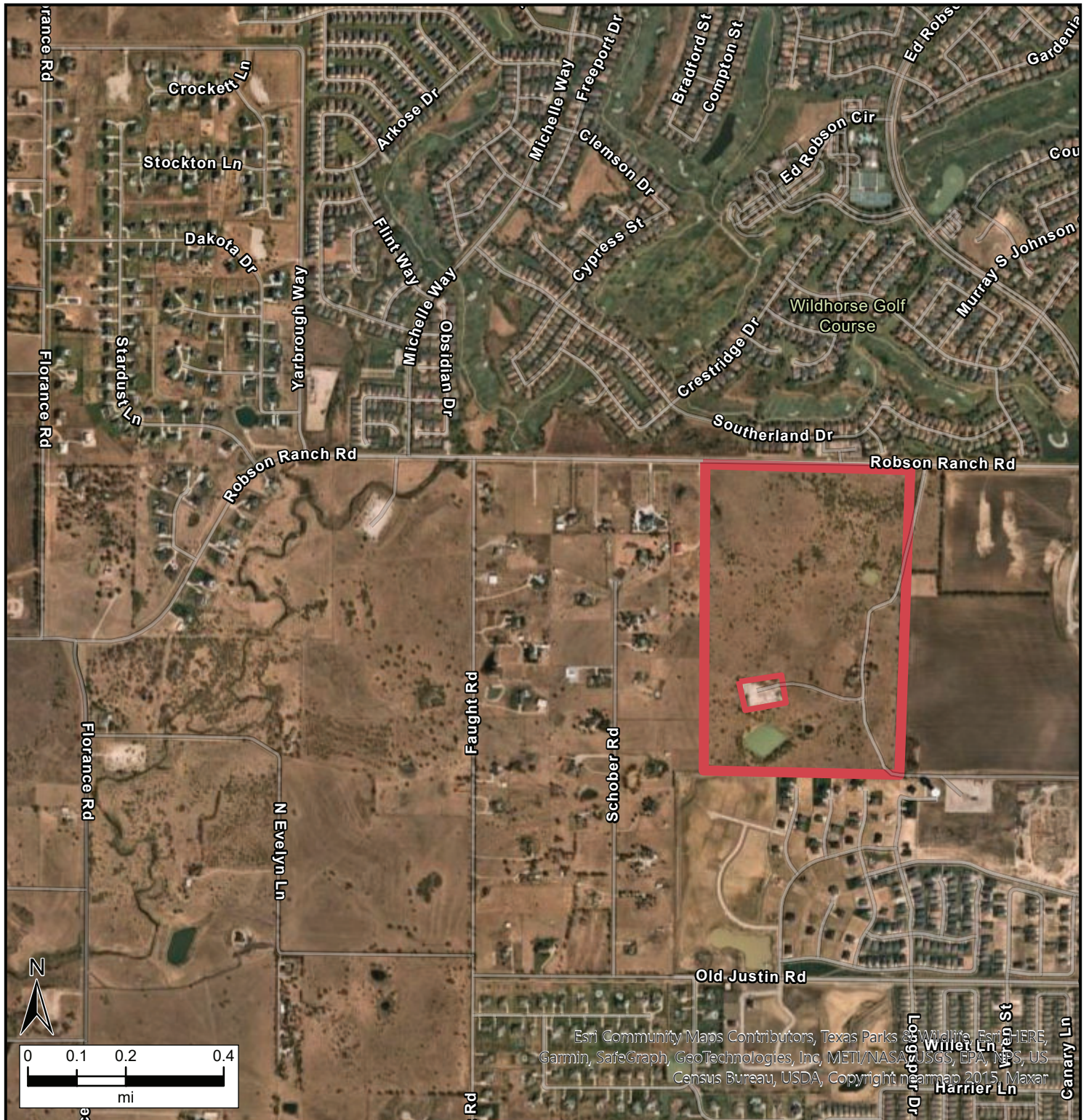
- Incorporated Area
- Extraterritorial Jurisdiction
- Limited Purposes Annexation

Esri Community Maps Contributors, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



Date: 11/17/2023

Northlake



Legend



NOTIFICATION RESPONSE FORM

CASE INFORMATION

Public Hearing Date: P&Z – November 28, 2023, 5:30 pm; Town Council – December 14, 2023, 5:30 pm

Case Type: Specific Use Permit (SUP)

Case Name: Cole Frazier 3 (AW) 3H, 4 (AW) 4H, and 5 (AW) U5H

Case #: SUP-23-001

WRITTEN RESPONSE

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

Comments (optional):

MUST PROVIDE ADEQUATE NOISE ABATEMENT FROM DRILLING
OPERATION AND ANY COMPRESSORS. LIGHTING MUST BE DIRECTED
AWAY FROM RESIDENCES ALONG SCHOBBER RD. ANY DRAINAGE
OR RUNOFF TO THE WEST DURING DRILLING OPERATIONS
MUST BE ELIMINATED AND CONTAINED ON WELL SITE
PREMISES TO AVOID CONTAMINATION OF OUR POND. WE
EXPECT NOISE/LIGHT ABATEMENT 24/7, NO EXCEPTION.

Signature: Michael C. Ganje Date: 11/25/23

Printed Name: MICHAEL C. GANJE

Address: 1514 SCHOBBER RD. City/State/ZIP: NORTHLAKE 76226

Phone number: 940-367-6960 *WITH CAVEATS

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
Nathan Reddin, Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-648-3290 ext. 271
Fax: 940-648-0363

Address:
1500 Commons Circle Ste. 300
Northlake, Texas 76226

FOR OFFICE USE ONLY

Stamp Received

Property within notification area: ☐ Yes ☐ No

Property ID: _____

Property Size: _____

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

REF. DOC.: Town of Northlake - Unified Development Code

SUBJECT: Consider a request for a meritorious exception to the window sign requirements of Article 11 of the Unified Development Code (UDC) for It's a Paw Thang located at 1236 FM 407, Suite 500. Case # 23-VBOA00003

THIS PUBLIC HEARING IS POSTPONED AND A NEW NOTICE WILL BE PUBLISHED IN ADVANCE OF THE FUTURE PUBLIC HEARING IN ACCORDANCE WITH TOWN OF NORTHLAKE, UNIFIED DEVELOPMENT CODE, ARTICLE 4 AND 11.

- i. Public Hearing
- ii. Consider Recommendation

GOALS/ OBJECTIVES: Reinforce our Identity/Define who we are (and don't settle for less)

BACKGROUND INFORMATION:

The Planning & Zoning Commission (P&Z) held a public hearing and considered this request at their meeting on November 28. P&Z did not make a recommendation at the meeting and decided to table the item for consideration at their next regular meeting in January. Prior to Town Council action on the request, including holding a public hearing, the P&Z must make a recommendation. The public hearing before Town Council will be rescheduled for a meeting following P&Z consideration in January.

COUNCIL ACTION/DIRECTION:

THIS PUBLIC HEARING IS POSTPONED AND A NEW NOTICE WILL BE PUBLISHED IN ADVANCE OF THE FUTURE PUBLIC HEARING IN ACCORDANCE WITH TOWN OF NORTHLAKE, UNIFIED DEVELOPMENT CODE, ARTICLE 4 and 11

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023
Section: 6. EXECUTIVE SESSION

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

Section: 7. RECONVENE INTO OPEN SESSION

NORTHLAKE TOWN COUNCIL COMMUNICATION



DATE: December 14, 2023

Section: 8. ADJOURN
