



**NOTICE OF THE REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
Tuesday, March 1, 2016**

Notice is hereby given of the Regular Meeting of the Planning & Zoning Commission beginning at 6:30 p.m. Tuesday, March 1, 2016, at Argyle Town Hall, located at 308 Denton Street, Argyle, Texas. The Items listed below are placed on the agenda for discussion and/or action.

REGULAR MEETING AGENDA 6:30 PM

A. CALL TO ORDER – Chairman Paul Walker

B. PLEDGE OF ALLEGIANCE – American Flag

C. PLEDGE OF ALLEGIANCE – Texas Flag - “Honor the Texas Flag; I pledge allegiance to thee Texas, one state, under God, one and indivisible”.

D. MINUTES

1. Consider approval of the minutes of the Regular Planning and Zoning Commission Meeting of February 2, 2016.

E. OLD BUSINESS

None.

F. NEW BUSINESS

1. **PUBLIC HEARING:** Consider and make a recommendation for a zoning change request (Z-16-001) from PD-SPA-2 (Planned Development SPA-2) to PD-001 (Planned Development District) for Avalon at Argyle, being approximately 133 acres, in the Francis W. Thorton Survey, Abstract No. 1244, Town of Argyle, Denton County, Texas; and being located on the east side of IH 35 W, south of FM 407, and west of Gateway Blvd.
2. Consider and take appropriate action on a preliminary plat (PP-16-001) for Avalon at Argyle, a proposed subdivision on an approximately 133 acre tract of land in the Francis W. Thorton Survey, Abstract No. 1244, Town of Argyle, Denton County,



Texas; and being located on the east side of IH 35 W, south of FM 407, and west of Gateway Blvd.

3. **PUBLIC HEARING:** Consider and make a recommendation for an ordinance amendment (ORD-16-001) regarding changes to Section 14.3.71-11 - Access and Frontage Standards for Residential Lots, Section C – Exceptions; of the Town of Argyle Town Development Standards.
4. **PUBLIC HEARING:** Consider and make a recommendation for an ordinance amendment (ORD-16-002) regarding changes to Sections 14.3.32-4, 14.3.33-4, and 14.3.34-4 - Area Regulations; of the Town of Argyle Town Development Standards.
5. **PUBLIC HEARING:** Consider and make a recommendation for amendments (ORD-16-003) to the Town of Argyle Comprehensive Plan regarding allowable residential densities.

G. FUTURE AGENDA AND ITEMS OF INTEREST

1. Briefing on recent Town Council action on Community Development agenda items.
2. Project updates.

H. ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice was posted on the bulletin board at Argyle Town Hall, 308 Denton Street, Argyle, Texas, at 5:00 p.m. on the 26th day of February, 2016.

Matthew C. Jones, AICP
Director of Community Development

A quorum of the members of the Argyle Town Council may be in attendance at this meeting.
The Town Council will take no action at this time.

 Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the Argyle Town Hall 48 hours in advance, at 940-460-7273, and reasonable accommodations will be made for assistance.

**MINUTES OF THE TOWN OF ARGYLE
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, FEBRUARY 2, 2016**

A regular meeting of the Argyle Planning and Zoning Commission was held on Tuesday, February 2, 2016, at 6:30 p.m. at Argyle Town Hall, located at 308 Denton Street, Argyle, Texas. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was hereby posted on January 29, 2016 at 5:00 PM, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

PLANNING AND ZONING COMMISSION MEMBERS PRESENT:

Paul Walker, Chairman
Jackie Thomas, Vice-Chair
Paula Mabry
Keith Appleton
Sherry Griffin
Richard Kravetz

PLANNING AND ZONING COMMISSION MEMBERS ABSENT:

Jason Lillard

STAFF PRESENT:

Paul Frederiksen, Town Manager
Matthew Jones, Director of Community Development
Matthew Butler, Town Attorney

REGULAR MEETING AGENDA

A. CALL TO ORDER

The regular meeting was called to order at 6:31 p.m., noting a quorum was present.

B. PLEDGE OF ALLEGIANCE – American Flag

C. PLEDGE OF ALLEGIANCE – Texas Flag - “Honor the Texas Flag; I pledge allegiance to thee Texas, one state, under God, one and indivisible”.

D. MINUTES

- 1. Consider approval of the minutes of the Regular Planning and Zoning Commission Meeting of January 5, 2016.**

Mr. Appleton motioned, Mr. Kravetz seconded to approve the minutes of January 5, 2016 as presented. The motion carried unanimously by a vote of 6-0.

E. OLD BUSINESS

None

F. NEW BUSINESS

- 1. Consider a preliminary plat (PP-15-004) for Canyon Falls, a proposed subdivision on an approximately 168.31 acre tract of land in the Francis W. Thorton Survey, Abstract No. 1244, Denton County, Texas; located in the Town of Argyle's Extra Territorial Jurisdiction (ETJ); and being located to the west of Stonecrest Road and south of Town Limits of the Town of Argyle.**

Mr. Jones explained the application for the preliminary plat and presented the staff report.

Discussion was held and Mr. Appleton motioned to approve the preliminary plat, Mrs. Mabry seconded the motion. The motion carried unanimously by a vote of 6-0.

- 2. PUBLIC HEARING: Consider and make a recommendation for a zoning change (Z-15-006) from VC (Village Center) to C-DMU (Corridor Destination Mixed Use) for Gateway Sonic, being approximately 1.49 acres, Lot 1-R2, Block A, PM & R Addition, Town of Argyle, Denton County, Texas; and being located at the southeast corner of US HWY 377 and E. Harpole Rd.**

Mr. Jones explained the zoning change request and presented the staff report.

Mr. Ken Baca, a representative of the applicant, explained the zoning change request and gave a presentation to the Commission.

The public hearing opened at 7:18 p.m. Several attendees spoke in opposition of the request. Public hearing was closed at 7:29 p.m.

Discussion was held and Mr. Appleton motioned to approve the zoning change, Mr. Kravetz seconded the motion. The motion carried by a vote of 5-1.

- 3. PUBLIC HEARING: Consider and make a recommendation for a Specific Use Permit (SUP-15-003) to allow for alcohol sales; located at Lot 1-R2, Block A, PM & R Addition, Town of Argyle, Denton County, Texas; and being located at the southeast corner of US HWY 377 and E. Harpole Rd.**

Mr. Jones explained the specific use permit request and presented the staff report.

The public hearing opened at 7:56 p.m. Public input was received. Public hearing was closed at 7:58 p.m.

Discussion was held and Mr. Appleton motioned to approve the specific use permit, Mrs. Mabry seconded the motion. The motion carried unanimously by a vote of 6-0.

- 4. PUBLIC HEARING: Consider and make a recommendation for a Specific Use Permit (SUP-15-004) to allow for a drive-thru facility; located at Lot 1-R2, Block A, PM & R Addition, Town of Argyle, Denton County, Texas; and being located at the southeast corner of US HWY 377 and E. Harpole Rd.**

Mr. Jones explained the specific use permit request and presented the staff report.

The public hearing opened at 8:02 p.m. No public input was received. Public hearing was closed at 8:02 p.m.

Discussion was held and Mr. Appleton motioned to approve the specific use permit, Mr. Kravetz seconded the motion. The motion carried by a vote of 5-1.

- 5. Consider and make a recommendation for a Site Plan (SP-15-001) for Gateway Sonic; being an approximately 2,000 SQ FT restaurant and 4,666 SQ FT Convenient Store with gasoline sales; located at Lot 1-R2, Block A, PM & R Addition, Town of Argyle, Denton County, Texas; and being located at the southeast corner of US HWY 377 and E. Harpole Rd.**

Mr. Jones explained the site plan request and presented the staff report.

Discussion was held and Mr. Appleton motioned to approve the site plan with the following recommendations provided by Town Staff:

1. A pedestrian access path should be provided from the public sidewalk to the front of the building.
2. A photometric plan should be prepared to demonstrate compliance with the lighting standards in the Town Development Standards prior to final approval at Town Council.
3. Remove nonessential information from the landscape plan and clearly identify all types of surfaces not under roof. Staff recommends the plan be in color.
4. Provide a table for tree replacement to include number of protected caliper inches removed, number of caliper inches protected, number of caliper inches to be replaced, and the net difference to determine the tree removal fee for the project;

Mr. Kravetz seconded the motion. The motion carried by a vote of 5-1.

G. FUTURE AGENDA AND ITEMS OF INTEREST

- 1. Briefing on recent Town Council action on Community Development agenda items.**

Mr. Jones provided the Commission with recent updates regarding current Community Development items.

- 2. Project Updates.**

Mr. Jones updated the Commission of future projects to be considered by the Commission.

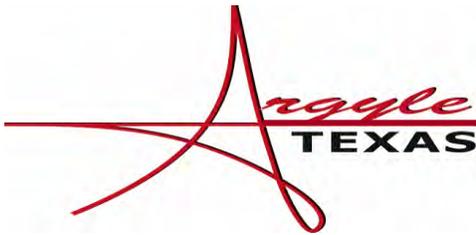
H. ADJOURNMENT

With no further business to attend, the meeting was adjourned at 8:30 p.m.

APPROVED THIS THE 1st DAY OF March, 2016. WITNESS:

Paul Walker
Chairman

Matthew C. Jones, AICP
Director of Community Development



PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: March 1, 2016

To: Chairman and Members of the Planning and Zoning Commission

From: Matt Jones, Director of Community Development

Subject: Zoning Change from PD-SPA-2 to PD-001 – Avalon at Argyle

Purpose:

Consider and make a recommendation for a zoning change request (Z-16-001) from PD-SPA-2 (Planned Development SPA-2) to PD-001 (Planned Development District) for Avalon at Argyle, being approximately 133 acres, in the Francis W. Thorton Survey, Abstract No. 1244, Town of Argyle, Denton County, Texas; and being located on the east side of IH 35 W, south of FM 407, and west of Gateway Blvd.

Existing Condition of Property:

The majority of the property contains open pasture with gently rolling hills and clusters of mature trees sparsely scattered throughout the site. A portion of the property is in the floodplain, which runs across the property in the southwest portion of the site and runs to the southeast.

Adjacent Existing Land Uses and Zoning:

North: Town of Argyle ETJ
 South: Town of Flower Mound
 East: CR – Community Retail
 West: Corral City ETJ

Development Review Analysis:

The applicant is proposing a preliminary plat including 334 single family residential lots on 54.12 acres, 5 commercial lots on 38.7 acre, 6 open space lots on 21.99 acre, and 19 acres of street dedication for a total of 133.86 acres.

Consistency with Future Land Use Plan:

The subject property is designated as T6– Regional Center on the Future Land Use Plan. The overall density calculations are just below the suitable recommendations for the T6 transect. The density proposed is in compliance of the density guidelines of the Comprehensive Plan when looking at transitioning the densities away from the I-35 and FM 407 intersection. The concept plan is also in general compliance with the lot size recommendations. The open space recommendations of the Comprehensive Plan for the T6 transect call for pedestrian friendly and “human scale” improvements. The T6 transect calls for a wide variety of commercial uses along I-35 and focuses on the major intersection within the transect.

Open Space and Trails:

The applicant is proposing 21.99 acres of open space to be maintained as private or dedicated to the Town, being 16.4% open space for the development overall, which is consistent with the Future Land Use Plan. The T6 transect recommends a connecting trail system and pedestrian friendly public spaces. The applicant is proposing a series of trails and sidewalks that run throughout the development to encourage pedestrian connectivity.

Tree Preservation:

The applicant has provided a tree preservation plan with an aerial overlay as required by the Tree Preservation Requirements of the Town Development Standards. A detailed tree survey will be submitted with the final plat and construction plans for the development and shall meet the requirements of the tree preservation ordinance. Including labeling all protected trees and providing mitigation details for any protected or majestic tree that will be removed.

Infrastructure Adequacy:

Water and sanitary sewer facilities are available to be extended to this site with sufficient capacity to serve the development. If approved, full civil construction plans for streets, drainage, water and sanitary sewer are required for submission at the time of final plat application.

Drainage Analysis:

Staff has reviewed the PD concept plan and has determined that compliance with all drainage requirements of the Town Developments Standards can be achieved at the time of preliminary and final plat. A detailed engineering review of the drainage and grading plans will be conducted by the Town Engineer at the time of a preliminary and final plat.

Design Standards

The applicant has proposed a variety of design standards as outlined in the PD Zoning narrative that meet or exceed the minimum requirements of the Town Development Standards.

Property Owner Notifications:

Letters were sent out to surrounding property owners within 200' of the subject property pursuant to the Texas Local Government Code, Subsection 211.006(d) and the Town of Argyle Zoning Ordinance. No responses have been received by the Town.

Staff Recommendation:

Town staff forwards this request for your consideration with the following recommendations:

1. **OPEN SPACE:** The developer may dedicate open space to the Town and shall maintain the dedicated open space and improvements until such time as the Town is able to assume such maintenance. Staff recommends some consideration be given to show possible locations for public improvements, such as plazas, public parks, public art, civic features, or other as shown on the concept plan and approved on a site plan or plat.

Attachments:

PD Standards
 Concept Plan
 Design Guidelines
 Fencing Plan
 Pedestrian Plan

SECTION 1: That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2: That the Comprehensive Zoning Ordinance of the Town of Argyle, Texas, be, and the same is hereby amended by amending the Zoning Map of the Town of Argyle so as to change the zoning on the following described tract of land, described in Exhibit "A" (the "Property"), by approving a Planned Development (PD-001), for a Large Commercial/Mixed Use Planned Development and establishing the development standards set forth herein. The uses will not be confined to separate districts, but will occur as shown on the approved Concept Plan and as permitted herein, and shall not be required to adhere to any limitations on maximum project size. The Planned Development shall meet or exceed all requirements for the base zoning types Community Retail (CR) and Single-Family Residential – 7 (SF-7), with the following deviations from the Subdivision Ordinance and Zoning Ordinance:

A. Allowed or Additional Uses

1. Community Retail (CR) use and all accessory uses allowed for CR, within the Commercial areas shown on the approved Concept Plan;
2. Single-Family Residential – 7 (SF-7) use and all accessory uses allowed for SF-7, within the Residential areas shown on the approved Concept Plan, with exceptions and limitations noted in this Ordinance;
3. Temporary uses (SUP approval required):
 - a. A temporary asphalt or concrete batch plant;
 - b. A temporary construction field office;
 - c. A temporary outdoor storage associated with construction;
 - d. One or more temporary real estate sales offices.
4. Any use permitted by a zoning district identified in Sections 2(A)(1) through (2) above is permitted to the same extent that the zoning district permits that use. For example, if the SF-7 Zoning District allows a use by right, that use is allowed by right in the Residential areas shown on the approved Concept Plan, and if the SF-7 Zoning District allows the use by SUP, that use is allowed by SUP in the Residential areas shown the approved Concept Plan.

B. Density

1. SF-7 – The maximum number of single family detached dwelling units is 334 units.
2. CR – No deviation for density.

C. Lot Area

1. SF-7
 - a. Minimum lot size shall be 6,000 square feet.
 - b. Average lot size shall be approximately 6,500 square feet.
2. CR – No deviation for lot area.

D. Lot Width

1. SF-7
 - a. No deviation for lot width.
 - b. A minimum of 10 lots must be greater than the required 50' lot width.
2. CR – No deviation for lot width.

E. Lot Depth

1. SF-7 – Minimum lot depth shall be 120 feet.
2. CR – Minimum lot depth shall be 100 feet.

F. Yard, Building Separation, and Minimum Dwelling Unit Area

1. SF-7
 - a. The minimum front yard setback shall be twenty (20) feet.
 - b. Minimum side yard setback for a corner lot adjacent to right-of-way shall be ten (10) feet.
 - c. All other side and rear yard setbacks shall comply with those specified within the SF-7 zoning district.
 - d. The minimum dwelling unit area shall be 2,000 square feet.
2. CR – A minimum setback of 60 feet shall be provided when a non-residential use inside the PD area is adjacent to a residential use outside the PD area, as determined at the time of issuance of a building permit for a non-residential use within the PD.

G. Building Height and Size

1. SF-7 – No deviation for building height.
 - a. The minimum dwelling unit size shall be 2,000 square feet.
2. CR – No deviation for building height and size in this use.

H. Building Exterior Construction

1. SF-7
 - a. Single Family front-entry garages shall occupy no more than 60% of the total building frontage. Garages may be recessed up to three (3) feet from the rest of the building façade.
 - b. Single-story dwellings shall be constructed of 100% masonry. Multiple-story dwellings shall be constructed of 80% masonry. All dwellings shall comply with the standards specified in the design guidelines for Avalon at Argyle.
2. CR – No deviations for building exterior construction.

I. Lot Coverage

1. SF-7 – Maximum lot coverage of main and accessory buildings shall be 55%.
2. CR – No deviations for lot coverage.

J. Parking

1. SF-7 – No deviation for this use.
2. CR – No deviation for this use.

K. Open Space

1. SF-7 – All residential lots must be located within 800 feet of usable open space, as measured in a straight line distance.
 - a. There shall be no minimum size limitations or frontage requirements on usable open space.

2. A minimum of 16 percent of the total land area of Avalon at Argyle must be preserved as open space.

L. Access

No deviations.

M. Screening

No deviations.

N. Landscaping

The Town Administrator may approve alternate locations for sidewalks to avoid conflicts with utility locations.

O. Accessory Buildings

No deviations.

P. Signs

No deviations.

Q. Lighting

No deviations.

R. Project Phasing or Scheduling

The preliminary plat shall show project phasing. The timing of the development of the commercial areas is contingent upon the I-35W expansion project timing.

S. Property Management Associations

No deviations.

T. Other Requirements

1. Concept Plan

- a. The Concept Plan is attached hereto and incorporated herein as Exhibit "B".

2. Detailed Site Plans

- a. At its sole discretion, the Town Council may approve a site plan that differs from the Concept Plan.

3. Amenities Plan

- a. An amenities plan including general descriptions for open space, parks, landscaping, screening, and other special treatment areas shall be submitted as part of each final plat.

4. Development Agreement

- a. At the time of final plat approval, the developer shall enter into a development agreement with the Town that sets forth the developer's obligations with respect to the construction of infrastructure to serve the property.

5. Corner lots shall have one front yard, except that a corner lot with a rear yard that abuts the front yard of another lot shall have a front yard along both street frontages, and the remaining yards shall be considered side yards.
6. There shall be no maximum size limitation or minimum separation distance for SF-7 neighborhoods.
7. In the event of a direct conflict between this Ordinance and the Zoning or Subdivision Ordinances, this Ordinance will prevail.

U. Purpose and Intent

The purpose of this PD is to create standards and regulations that allow the development of an approximately 133-acre master planned community, known as Avalon at Argyle, within the Town limits of Argyle. The 133-acre property is located south of FM 407, east of Interstate 35W, and directly adjacent to Interstate 35W.

The vision for the property is to create a community with a unique atmosphere, joined by open space and linked with a unified design theme. The proposed plan has been designed to preserve over 22 acres of open space, and to provide attractive I-35 frontage for non-residential uses. Natural drainage patterns will be preserved and are planned to be used as a part of the pedestrian circulation and park system.

The standards contained herein are intended to allow flexibility in the design of the master plan while maintaining a high level of quality. Due to the unique location and nature of this project, some deviations from the Town's zoning ordinance are necessary to implement a creative, mixed use development.

SECTION 3. In addition to meeting or exceeding all requirements for the base zoning types Community Retail (CR) and Single-Family Residential – 7 (SF-7), with the deviations from the Subdivision Ordinance and Zoning Ordinance listed in Section 2 of this Ordinance, the Planned Development shall meet or exceed the following requirements:

1. Unless otherwise stated, the definitions in the Zoning Ordinance apply. The following definitions apply to this Ordinance:
 - a. Concept Plan. The concept plan attached hereto as Exhibit B and any Concept Plans approved in accordance with this Ordinance.
 - b. CR Zoning District. Section 14.3.44 of the Zoning Ordinance.
 - c. PD. The planned development district created by this Ordinance.
 - d. Property. The property described on Exhibit A.
 - e. SF-7 Zoning District. Section 14.3.37 of the Zoning Ordinance.
 - f. Single Family, Detached. A dwelling designed and constructed as a freestanding structure for occupancy by one family, and located on a separate lot having no physical connection to a building located on another lot.
 - g. Temporary. Of limited duration; not permanent.
 - h. Temporary Asphalt or Concrete Batch Plant. A temporary facility or area for mixing concrete or asphalt to be used for new construction on the Property. This use may include associated temporary buildings, such as trailers.

- i. Temporary Construction Field Office. A facility or area used as a temporary field construction office. This use may be operated from a temporary building, such as a trailer.
 - j. Temporary Outdoor Storage Associated with Construction. An area for the temporary outside storage of construction equipment and materials associated with an active permit to demolish or construct. This use may include associated temporary buildings, such as trailers.
 - k. Temporary Real Estate Sales Office. A facility or area used as a temporary office to sell or lease real estate within a specified area or subdivision. This use may be operated from a temporary building, such as a trailer.
 - l. Town. The Town of Argyle, Texas.
 - m. Town Council. The governing body of the Town of Argyle, Texas.
 - n. Zoning Ordinance. Ordinance Number 2015-17, the Zoning Ordinance of the Town of Argyle, Texas in effect on the date of the adoption of this Ordinance.
2. Notwithstanding anything to the contrary in this Ordinance, a minimum of 35 acres shall be reserved for the development of non-residential uses. Mixed use buildings that include non-residential uses satisfy this requirement.
 3. Notwithstanding anything to the contrary in this Ordinance, a maximum of 334 dwelling units are permitted on the Property.
 4. The following open space requirements apply to the Property:
 - a. The areas designated as open space on the Concept Plan shall be used and maintained as open space.
 - b. Areas designated as open space on the Concept Plan may be private or, at the option of the Town, public. Private open space areas shall be maintained by a property owners association, a public improvement district, or other suitable entity approved by the Town. Public open space areas shall be maintained by the Town.
 - c. If the developer dedicates open space to the Town, the developer shall be entitled to credit toward meeting the Town's parkland dedication requirements on an acre for acre basis for land that otherwise qualifies for dedication under the Town's parkland dedication requirements. Floodplain open space areas may be improved as necessary to make the floodplain areas easier to access and enjoy.
 5. Development of the Property shall comply with the fencing, wall, and screening requirements in Section 14.3.69 of the Zoning Ordinance. In addition, the following standards apply to the development of the Property:
 - a. Residential Subdivision Perimeter Fencing. Residential subdivision perimeter fencing shall be constructed of 100% masonry or ornamental iron with live screening, at a minimum height of six feet along any areas where the rear or side of a home is visible from collector roadways or thoroughfares. Masonry columns shall be placed a maximum of 100 feet on center.
 - b. Residential. All residential lots backing to open space (including parks, floodplain, or linear greenbelts) shall have ornamental iron fencing that is between five and six feet in height

(columns may be taller). All other residential lots shall have fences constructed of wood cedar with caps, except that where any residential lot abuts a collector roadway or thoroughfare, fencing shall be provided in accordance with the preceding paragraph.

- c. Non-Residential. Where any non-residential use is adjacent to a single family use, a minimum six foot tall solid masonry wall is required along the common lot line of the non-residential lot.
6. Development of the Property shall comply with the design requirements of Section 14.2.90.D1 and D.16 of the Subdivision Ordinance with the following exceptions:
 - a. The minimum centerline radius shall be as shown on the approved concept plan.
 - b. The Town Administrator may approve alternate locations for sidewalks to avoid conflicts with utility locations.
 7. Prior to issuance of a building permit for the construction of any single family homes, Homeowners Association documents must be recorded in the deed records of Denton County as part of the restrictive covenants that will encumber the Property. Such restrictive covenants must include a private architectural review committee charged with reviewing all building construction on the Property.
 8. In addition, development of the Property shall comply with the exterior construction and design requirements of Section 14.3.70-20 of the Zoning Ordinance, with the following exceptions:
 - a. Single family garage frontage shall occupy no more than 60% of the total building frontage.
 - b. Garage may be recessed up to three (3) feet from the rest of the façade.

SECTION 4. That all uses authorized by the Planned Development shall conform to the development standards in Sections 2 and 3 of this Ordinance, the Concept Plan as shown on Exhibit "B", Street Sections as shown on Exhibit "C", Residential and Commercial Design Guidelines as shown in Exhibit "D", and the Town of Argyle Comprehensive Zoning Ordinance and Subdivision Ordinance. In the event of conflict, this ordinance shall prevail.

SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the Town of Argyle, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense.

SECTION 6. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or portion thereof, other than that portion so decided to be invalid or unconstitutional.

SECTION 7. Injunctive Relief. In addition to and accumulative of all other penalties, the Town shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. Effective Date: This ordinance shall take effect immediately from and after its passage, and publication of the caption of said ordinance, as the law in such case provides.

Exhibit "A"
 Metes and Bounds Description
 FIELD NOTE DESCRIPTION
 CITY OF ARGYLE
 STATE OF TEXAS
 COUNTY OF DENTON

BEING all that certain lot, tract or parcel of land situated in the F. W. Thornton Survey, Abstract Number 1244, Denton County, Texas, and being part of that certain called 295.776 acre tract of land described in deed to Blue Star Investments, INC. recorded in Document Number 2014-132053 of the Real Property Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at 8" metal pipe fence corner at the northeast corner of said 295.776 acre tract, being the southeast corner of that certain called 27.4408 acre tract of land described in deed to Randol Mill Capital, LLP., recorded in Document Number 2006-4568 of the Real Property Records of Denton County, Texas, and being on the west line that certain called 25 acre tract of land described in deed to Ronald McCutchin Family Partnership, LTD., recorded in Document Number 1997-76480 of the Real Property Records of Denton County, Texas from which a 5/8" capped rebar found (Carter Burgess) at the northwest corner of said 25 acre tract, and being the northeast corner of said 27.4408 acre tract bears N 00°32'25" W, 1476.44 feet;

THENCE S 00°26'00" E, with the east line of said 295.776 acre tract and the west line of said 25 acre tract, passing at 1245.72 feet the southwest corner thereof and being the westerly northwest corner of that certain called 298.058 acre tract of land described in deed to Ronald Lee McCutchin, recorded in Volume 527, Page 68 of the Real Property Records of Denton County, Texas, and continuing for a total distance of 3723.75 feet, from which a 8" metal pipe fence corner found at the southeast corner of said 295.776 acre tract bears S 00°26'00" W, 1759.94 feet;

THENCE N 89°57'31" W, 918.97 feet;

THENCE N 58°07'37" W, 136.20 feet;

THENCE N 43°18'45" E, 103.90 feet;

THENCE N 10°34'14" E, 180.90 feet;

THENCE N 45°11'05" W, 242.80 feet;

THENCE N 74°09'03" W, 269.90 feet;

THENCE N 67°31'13" W, 184.60 feet;

THENCE northwesterly with the arc of said curve, having a radius of 2640.00 feet, a central angle of 25°54'08", an arc length of 1193.48 and whose chord bears N 29°26'23" W, 1183.35 feet to the west line of said 295.776 acre tract, and being on the east line of Interstate Highway 35W as evidenced by Cause No. 6002 Styled State of Texas V. McCutchin Investments, recorded in Volume 548, Page 469 of the Real Property Records of Denton County, Texas;

THENCE N 24°33'10" E, 1228.21 feet with the east line of Interstate Highway 35W and the west line of said 295.776 acre tract to a broken concrete right-of-way monument;

THENCE N 22°45'05" E, 636.27 feet with the east line of Interstate Highway 35W and the west line of said 295.776 acre tract to a concrete right-of-way monument;

THENCE northeasterly with the arc a curve to the right, with the east line of Interstate Highway 35W and the west line of said 295.776 acre tract, having a radius of 11609.16 feet, a central angle of 00°58'45", an arc length of 198.40 and whose chord bears N 24°03'47" E, 198.39 feet to a concrete right-of-way monument;

THENCE N 23°34'25" E, 151.74 feet with the east line of Interstate Highway 35W and the west line of said 295.776 acre tract to a 5/8" rebar found at the northwest corner of said 295.776 acre tract, being the southwest corner of the aforementioned 27.4408 acre tract;

THENCE N 88°39'10" E, 1188.83 feet with the north line of said 295.776 acre tract and the south line of said 27.4408 acre tract to the POINT OF BEGINNING and containing approximately 133.864 acres of land.

Exhibit "B"
Approved Concept Plan



- ENTRY FEATURE OPPORTUNITY
- 80' COLLECTOR ROW
- ENTRY FEATURE OPPORTUNITY
- 60' COLLECTOR ROW
- WATERWAY/ OPEN SPACE TRAIL SYSTEM
- ARGYLE GATEWAY
- ENTRY SIGNAGE OPPORTUNITY
- ENTRY FEATURE OPPORTUNITY
- 100 YEAR FLOODPLAIN STUDIED BY JEA
- IMPROVED OPEN SPACE AREA

Corral City

Argyle ETJ

Argyle

Corral City ETJ

Northlake

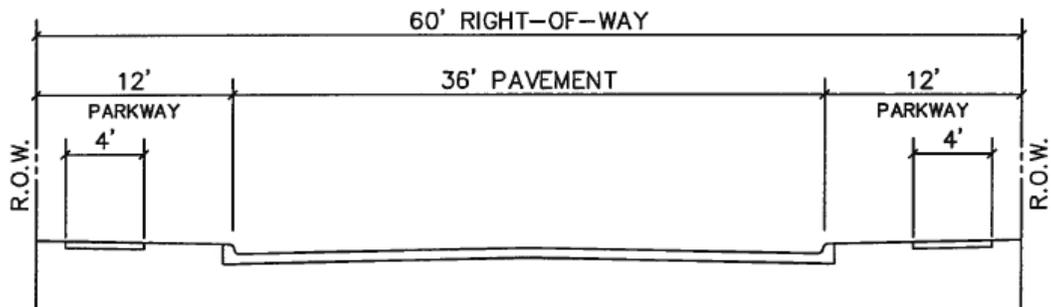
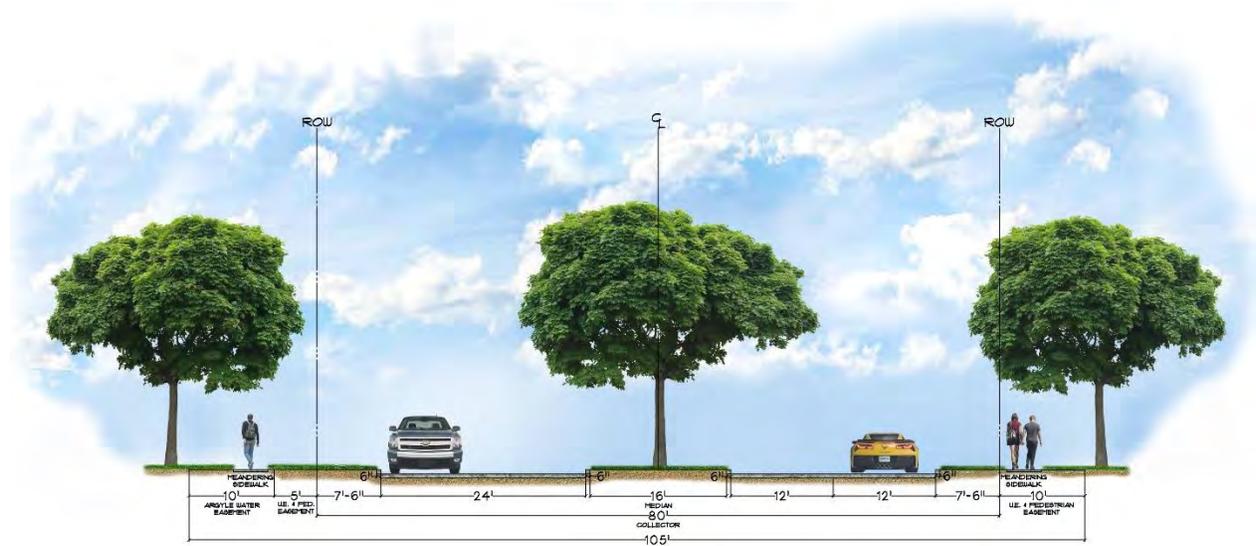
Flower Mound

EXHIBIT "B"
Avalon at Argyle

Town of Argyle
Denton County, Texas



Exhibit "C"
 Modified Street Sections
 80' Collector - Section

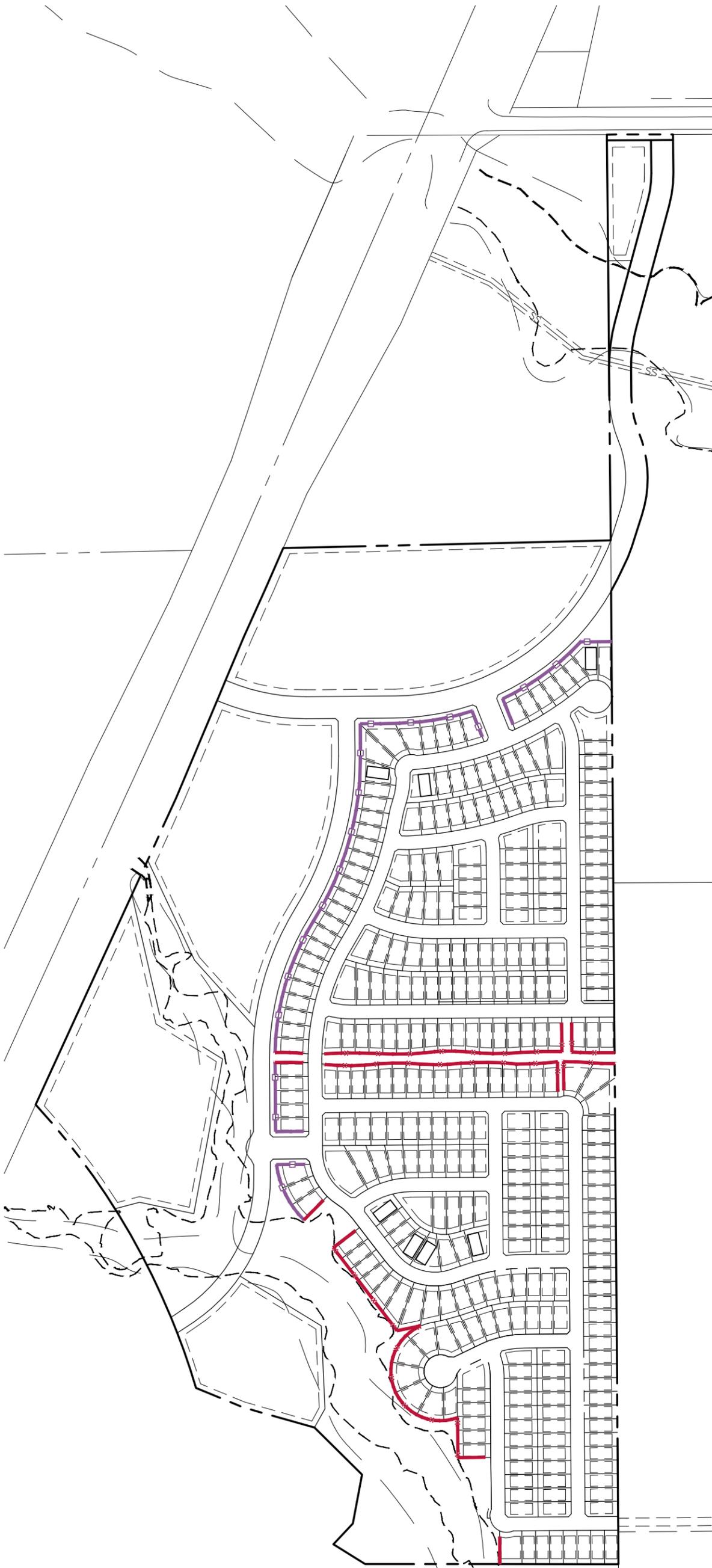


URBAN COLLECTOR

Exhibit "E"
Fencing Exhibit

LEGEND

	6' MASONRY WALL
	6' ORNAMENTAL METAL FENCE



FENCING EXHIBIT "E"
Avalon at Argyle

City of Argyle
 Denton County, Texas



G&A SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
 LAND SURVEYING LANDSCAPE ARCHITECTURE
TRPS Firm No. 1798 TRPLS Firm No. 1004700
 www.gacon.com P:972.436.9712 (Lewisville) / 940.240.1012 (Argyle)

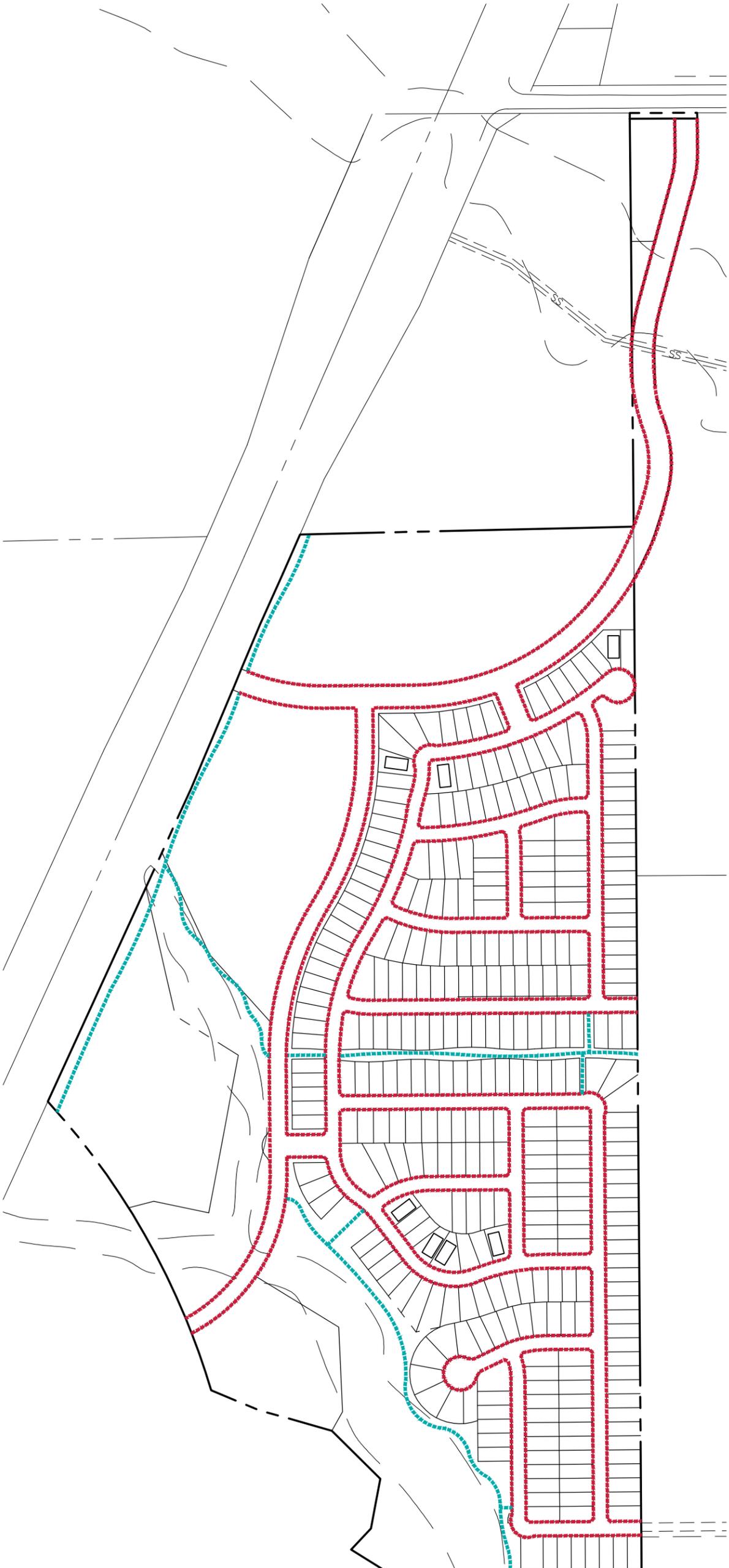


G&A Job No. 15019W Date: January 25, 2016 By: TPM
 Z:\2015\15019W\Drawings\Zoning\15019W FENCING EXHIBIT.dwg
 This concept plan is intended for conceptual developmental use and shall not be interpreted as an official or submitted document. All aerial and map images were attained from best available information. This plan is subject to change.

Exhibit "F"
Pedestrian Plan

LEGEND

	6' TRAIL
	4' SIDEWALK



PEDESTRIAN EXHIBIT "F"
Avalon at Argyle

City of Argyle
 Denton County, Texas



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G&A Job No. 15019W Date: January 25, 2016 By: TPM
 Z:\2015\15019W\Drawings\Zoning\15019W PEDESTRIAN EXHIBIT.dwg

This concept plan is intended for conceptual developmental use and shall not be interpreted as an official or submitted document. All aerial and map images were attained from best available information. This plan is subject to change.

Exhibit "D"
Design Guidelines

Avalon at Argyle Design Guidelines

A. Introduction:

The purpose of these design guidelines is to provide the developer(s), homebuilder(s), commercial builder(s), and key design professionals a design framework from which to create a cohesive and coordinated development for Avalon at Argyle. The design criteria established herein provide complementary elements for both residential and non-residential projects to form community character and to reinforce the unifying theme of the overall development. The guidelines include standards for 1) the architectural design of homes and commercial buildings; and 2) the site design for both residential and non-residential projects. Review of architectural and site design shall be the responsibility of the Architectural Control Committee, which shall be established by the Homeowner's Association. Any deviation from these guidelines must be approved by the Architectural Control Committee.

B. Avalon at Argyle Development Theme and Character

The look and feel for Avalon at Argyle is derived from the history of both of these words. Argyle is a region within western Scotland and Avalon is from the legendary island featured in Arthurian legend.

The design theme is historic English country side with royal estates, manors and hunting lodges. The historic details from the period may be reinterpreted within a modern context while still portraying hints into the English heritage. Details such as parapet walls, eye-brow arches, timber inserts, and spires may be replicated in authentic materials of stone, brick and heavy timber.

C. Residential Design Guidelines

The following Residential Design Guidelines shall govern the residential property located in Avalon at Argyle in areas identified as "Residential" on the approved Concept Plan. These tracts may be developed individually or as a whole and shall maintain consistency with the overall design theme. The development of the residential areas shall meet the requirements of the Avalon at Argyle PD or the Code of Ordinances of the Town of Argyle if not specifically listed in the PD. Any deviations or variances from these standards shall be approved by the Town Council.

1. Subdivision Entrances

- i. Street entrances into the neighborhoods shall be pronounced to create a sense of arrival by incorporating any two of the following elements:
 - a. Enhanced landscaping materials and seasonal color landscape beds
 - b. Enhanced pavement
 - c. Divided street with landscaped median
- ii. Masonry walls located on each side of the entrance shall:
 - a. be increased in height for prominence when applicable
 - b. include architectural elements to reinforce the design theme

- c. include neighborhood signage

2. Open Space/Parks

- i. Areas designated as open space or park shall be connected by the overall trail system to create pedestrian linkages and increase access. This can be accomplished by the use of on-street sidewalks for the smaller pockets of open space.
- ii. Existing natural drainage features on the property, such as creeks and floodplain areas, should be preserved, where appropriate, by placing said areas into the open space system.
- iii. Open space areas may be improved for detention and drainage facilities.
- iv. Open space areas should include elements to encourage passive recreation, such as benches, picnic tables and other types of seating areas, arbors or other similar structures, and open lawns.
- v. An amenity center may be added to the concept plan at a future stage.



Example of Open Space Improvements

3. Lot Configuration

- i. Front entry garages shall be permitted.

4. Detention/Retention Facilities

- i. Drainage improvements may include the use of detention and/or retention ponds
- ii. Retention facilities shall include a fountain for aeration
- iii. Trails may be constructed along the perimeter of the ponds to provide pedestrian circulation
- iv. Pond edges should be sloped if located in a natural setting and should incorporate natural hardscapes when possible (i.e. boulders in lieu of masonry edges)

5. Trails/Sidewalks

- i. A four (4) foot sidewalk shall be provided by the builder on each side of local/60' collector streets and 80' divided collector streets.
- ii. A six (6) foot minimum trail may be constructed by the builder or developer within the open space areas. These trails may be paved concrete or natural paths, provided that they meet all ADA requirements.
- iii. When crossing local/60' collector streets and 80' divided collector streets, trails shall be distinguished by the use of bollards, enhanced pavement, lights, or other similar methods.
- iv. The six (6) foot trail system shall connect to required four (4) foot sidewalks along the rights-of-way, which may extend north to F.M. 407. Stub-outs for future extensions shall be provided for the property to the east.
- v. Required sidewalks shall be installed concurrently with the construction of the building/home in which they are located.

6. Landscape

- i. Lots shall feature two (2) trees within the front yard.
- ii. Collector streets and residential lots shall be separated with a 20' minimum landscape buffer.
- iii. All landscape species must come from the Town's approved plant list
- iv. Subdivisions shall be separated from collector streets with either a six (6) foot masonry wall or a combination of wrought iron or tubular steel fencing with live screening.
- v. Landscape in open space areas and along trails should incorporate natural elements and take existing site features into account. Use of native plant species is encouraged.
- vi. Trees that are required to be planted along rights-of-way and in open space shall be planted in odd-numbered groves and drifts to maintain a natural and organic feel.
- vii. Landscaped areas shall incorporate elements to enhance community design.

7. Fencing/Screening

- i. Neighborhoods shall be separated from collector streets with either a six (6) foot masonry wall or a combination of wrought iron or tubular steel fencing with live screening.
- ii. Residential lots may be enclosed with cedar plank fencing with capped metal posts, wrought iron/tubular steel fencing, or masonry fencing.

- iii. Fencing for lots directly adjacent to open space shall be constructed of wrought iron or tubular steel.
- iv. Lots adjacent to rights-of-way may feature a combination of wrought iron or tubular steel fencing with live screening, or a masonry fence.
- v. External surface of retaining walls shall be constructed of stone or brick.
- vi. A six (6) foot solid masonry fence must be provided between residential and non-residential uses.



Example of Wrought Iron Fence Adjacent to Open Space



Examples of Masonry Screening Wall

8. Streets/Alleys

- i. Avalon at Argyle shall feature three (3) different street types:
 - a. an 80' divided collector as shown on Exhibit "C" (Avalon Boulevard)
 - b. a 60' undivided collector as shown on Exhibit "C" (Aberdeen Parkway)
 - c. a 50' local residential street "Type F" as shown in the Town Approved Street Sections for Argyle, Texas (Remaining residential streets)

9. Residential Architectural

- i. Roof
 - a. Gable and hip roofs with varying roof pitches are required. The minimum roof slope shall be 7:12.
 - b. Moderate to steep roofs are encouraged to enhance the unified design theme.
 - c. Roof materials shall minimally consist of 30-year composition shingles or barrel tile roofs.
 - d. Metal roofing is allowed in small areas as a detail element and should typically consist of copper or metal standing seam.
 - e. Dormers may be used and shall be compatible with the architectural style of the home.
- ii. Building Materials
 - a. Residences shall be constructed of masonry which includes brick, stone, or stucco (cement plaster) for a minimum of 100% for single-story residences and 80% for multiple-story residences of all exterior wall surfaces excluding doors, chimneys, windows, boxed or bay windows, ornamental trim, dormers, areas above a roof line, areas under covered porches and architectural projections.
 - b. Accent materials may include cast stone, cedar, iron, and cementitious fiberboard.
- iii. Doors and Windows
 - a. Windows shall be wood or wood-clade, vinyl or vinyl-clad, aluminum clad wood or metal provided that the metal finish complements the color and architectural style of the house.
 - b. Doors shall be recessed to enhance articulation and create a pronounced entrance.
 - c. Front doors shall be a minimum of three (3) feet wide by eight (8) feet tall and be made of wrought iron or paneled hardwood.
- iv. Garages
 - a. All residences shall include a minimum two-car garage.
 - b. The width of front entry garages shall not exceed 60% of the front, street facing elevation.
 - c. Front entry garages are permitted provided that the garage door is setback at least 20' from the street right-of-way.
 - d. The material for front entry garages shall be decorative wood veneer or cedar.
- v. Elevations

- a. The same floor plan with the same elevation shall be separated by a minimum of four (4) lots on the same side of the street and by a minimum of three (3) lots on the opposite side of the street.
- b. A minimum of three (3) elevations must be provided per proposed home plan.
- c. The color scheme of the homes shall complement the unified design theme of the development and consistent of earth tone colors, except for doors. Elevations may use up to three (3) complementary colors per residence.

D. Commercial Design Guidelines

The following Commercial Design Guidelines shall govern the commercial property located in Avalon at Argyle in areas identified as “Community Retail” on the approved Concept Plan. These tracts may be developed individually or as a whole and shall maintain consistency with the overall design theme and complement the adjacent Avalon at Argyle residential community. The development of the commercial areas shall meet the requirements of the Avalon at Argyle PD or the Code of Ordinances of the Town of Argyle if not specifically listed in the PD. Any deviations or variances from these standards shall be approved by the Town Council through a site plan or amended site plan process.

1. Site Design

- i. The site design should encourage a pedestrian friendly environment.
- ii. The preservation of creeks and floodplain areas is encouraged and may be improved as an amenity with trails, amenity ponds, and other recreational uses.
- iii. Pedestrian circulation through the site shall provide connectivity to the sidewalks/trails located along the thoroughfares and is encouraged to connect to the trail system in the open space areas next to the residential community, where appropriate.
- iv. The organization of the buildings may face the I-35W corridor to ensure premium visibility.
- v. Vehicular circulation and access shall be from collector streets or I-35W frontage road. Access to the commercial areas from a local residential street is discouraged.
- vi. Access from I-35W frontage road shall be coordinated with the Texas Department of Transportation (TxDOT).
- vii. The use of decorative, enhanced pavement is encouraged at entrance drives.
- viii. Commercial buildings shall be setback at minimum of 40’ from the property line adjacent to residential uses within the PD area.
- ix. Dumpster areas shall be screened by a screening wall of at least six (6) in height and screening shrubs. The wall shall be constructed to be consistent with the architecture of the adjacent buildings.

2. Parking

- i. The required parking for the site shall comply with the standards in Section 14.3.66., “Off-Street Parking and Loading Requirements” of the Town of Argyle Code of Ordinances.
- ii. Shared parking may be permitted for the commercial areas.

3. Sidewalks

- i. There shall be a minimum sidewalk width of six (6) feet located between the building and the parking lot.
- ii. The use of decorative, enhanced pavement is required at crosswalks and building entrances.
- iii. As individual commercial areas develop, the developer shall install the required sidewalk along the collector roads and I-35W.

4. Landscaping Requirements

- i. There shall be a minimum landscape buffer of 20' in width adjacent to residential uses.
- ii. A minimum of 10% of landscaped area is required for the commercial area.
- iii. Parking lots shall be screened by shrubs or other appropriate plants from the roadways.
- iv. When directly adjacent to residential uses, a masonry screening wall of at least six (6) feet in height shall be built to separate the residential and commercial uses.
- v. A minimum landscape buffer of at least 30' in width shall be required along the I-35W frontage and shall include the following elements:
 - a. One (1) canopy tree every 30' that may be spaced at the 30' intervals or in groups;
 - b. Three (3) understory trees spaced in groups or at intervals for every 100 linear feet;
 - c. Enhanced landscape beds at site entrances and access points.
- vi. A minimum landscape buffer of at least 10' in width shall be required along collector roads where adjacent to the commercial area and shall comply with the bufferyard requirements in Section 14.3.67-6(I).
- vii. Parking Lot Landscape Requirements shall include the following:
 - a. Landscape islands at the terminus of each parking bay and shall include either two (2) shade trees or two (2) ornamental trees.
 - b. Each parking space shall be located within 100 feet of a shade tree to avoid large expanses without shade cover.
- viii. All species of landscaping shall comply with the Town's approved plant list.
- ix. Landscaping must be maintained in healthy condition and may either be the responsibility of the Avalon at Argyle Property Owner's Association or the property owner.

5. Building Design

- i. Building materials shall consist of at least 70% masonry, as defined in Section 14.3.70., "Exterior Construction and Design Requirements of the Town of Argyle Code of Ordinances.
- ii. Colors shall be mostly earth tones. The use of other color schemes may be appropriate, as approved by the Town Manager or designee.
- iii. Building entrances shall be pronounced to create a distinct entry.
- iv. Articulation of the front exterior walls is required to avoid long straight wall sections and to create architectural interest.
- v. Building Roof Design may include flat roofs with the use of parapets provided that roof equipment is appropriately screened. Pitched roofs may also be used on smaller buildings if appropriate. Building roofs shall be designed to be complementary to the overall design theme of Avalon at Argyle.

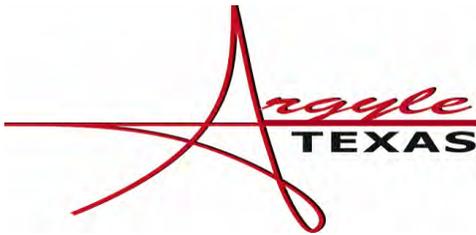
6. Lighting

- i. Parking and street lighting should be compatible with the lighting in the Avalon at Argyle residential community.

- ii. Dark skies luminaries shall be used to help prevent nighttime light pollution.
- iii. Shielding shall be required to prevent any spillage at adjacent residential uses.
- iv. Building lighting should reinforce the architectural character of Avalon at Argyle and may include, but not limited to, wall wash and down light fixtures and sconces.
- v. Flashing lights and flood lights are prohibited.

7. Signs

- i. Building signage for the commercial area should be consistent with the character of the development.
- ii. Ground signs shall be located in areas that do not impede or block visibility to or from drive entrances and street intersections.
- iii. Large Scale Development signs shall be permitted within the commercial area.
- iv. Ground signs or Large Scale Development Signs shall include the project name that references Avalon on the signs to reinforce the design theme. Names such as The Shops at Avalon or Avalon at Argyle Shops are examples. These signs shall be constructed of similar material to be complementary to the center and should be architecturally unique.
- v. More than one (1) temporary/development sign may be permitted provided that temporary signs are located no closer than 500' to another temporary sign.
- vi. Wayfinding signage is encouraged for a multi-building complex.
- vii. A "Town of Argyle" gateway/entrance sign shall be required along the 35W frontage.



PLANNING AND ZONING COMMISSION STAFF REPORT

Meeting

Date: March 1, 2016

To: Chairman and Members of the Planning and Zoning Commission

From: Matt Jones, Director of Community Development

Subject: Preliminary Plat – Avalon at Argyle

Purpose:

Consider approval a preliminary plat (PP-16-001) for Avalon at Argyle, a proposed subdivision on an approximately 133 acre tract of land in the Francis W. Thorton Survey, Abstract No. 1244, Town of Argyle, Denton County, Texas; and being located on the east side of IH 35 W, south of FM 407, and west of Gateway Blvd.

Existing Condition of Property:

The majority of the property contains open pasture with gently rolling hills and clusters of mature trees sparsely scattered throughout the site. A portion of the property is in the floodplain, which runs across the property in the southwest portion of the site and runs to the southeast.

Adjacent Existing Land Uses and Zoning:

North: Town of Argyle ETJ
 South: Town of Flower Mound
 East: CR – Community Retail
 West: Corral City ETJ

Development Review Analysis:

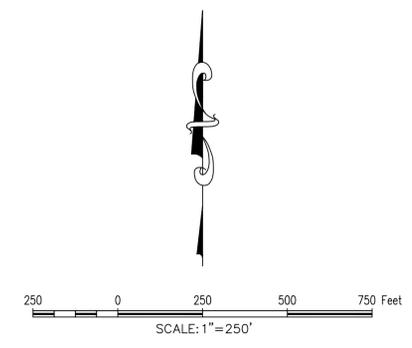
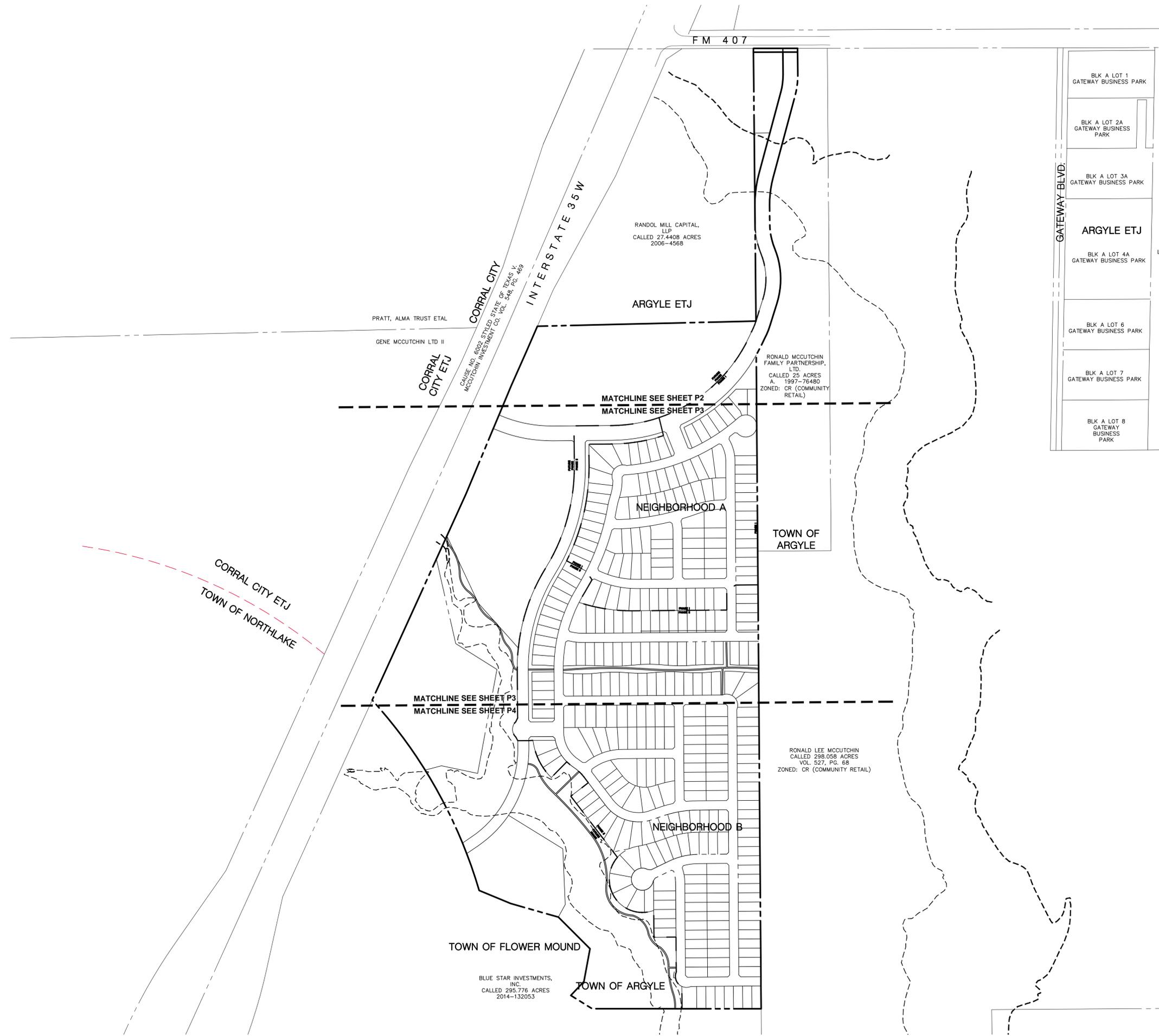
The applicant is proposing a preliminary plat including 334 single family residential lots on 54.12 acres, 5 commercial lots on 38.7 acre, 6 open space lots on 21.99 acre, and 19 acres of street dedication for a total of 133.86 acres. The Development Review Committee has reviewed this preliminary plat and has determined that it meets all minimum standards of the Town Development Standards for a preliminary plat and the proposed companion planned development zoning. After preliminary plat approval, the applicant must submit a final plat application for Phase 1 along with civil construction plans for streets, drainage, water and sanitary sewer compliant with the Town of Argyle Development Standards in order to proceed with the development process.

Staff Recommendation:

Town staff forwards this request for your approval as submitted contingent on the companion zoning change request.

Attachments:

Preliminary Plat



GENERAL NOTES:
 1. PROPERTY SUBJECT TO BLANKET EASEMENT TO LONE STAR GAS CO, RECORDED IN VOL. 467, PG. 238 D.R.D.C.T.

SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
 LAND SURVEYING LANDSCAPE ARCHITECTURE

 111 Millidge Drive - Lewisville, TX 75057 • P: 972-488-9712 • F: 972-488-9715
 144 Old 100 Highway - Argyle, TX 75015 • P: 972-482-2610
 TBE Firm No. 1798 TBE Firm No. 10047700

AVALON AT ARGYLE
 188.971 Acres
 in the
 THORTON SURVEY, ABSTRACT NO. 1244
 TOWN OF ARGYLE
 DENTON COUNTY, TEXAS

**OVERALL PRELIMINARY
 PLAT & PHASING PLAN**

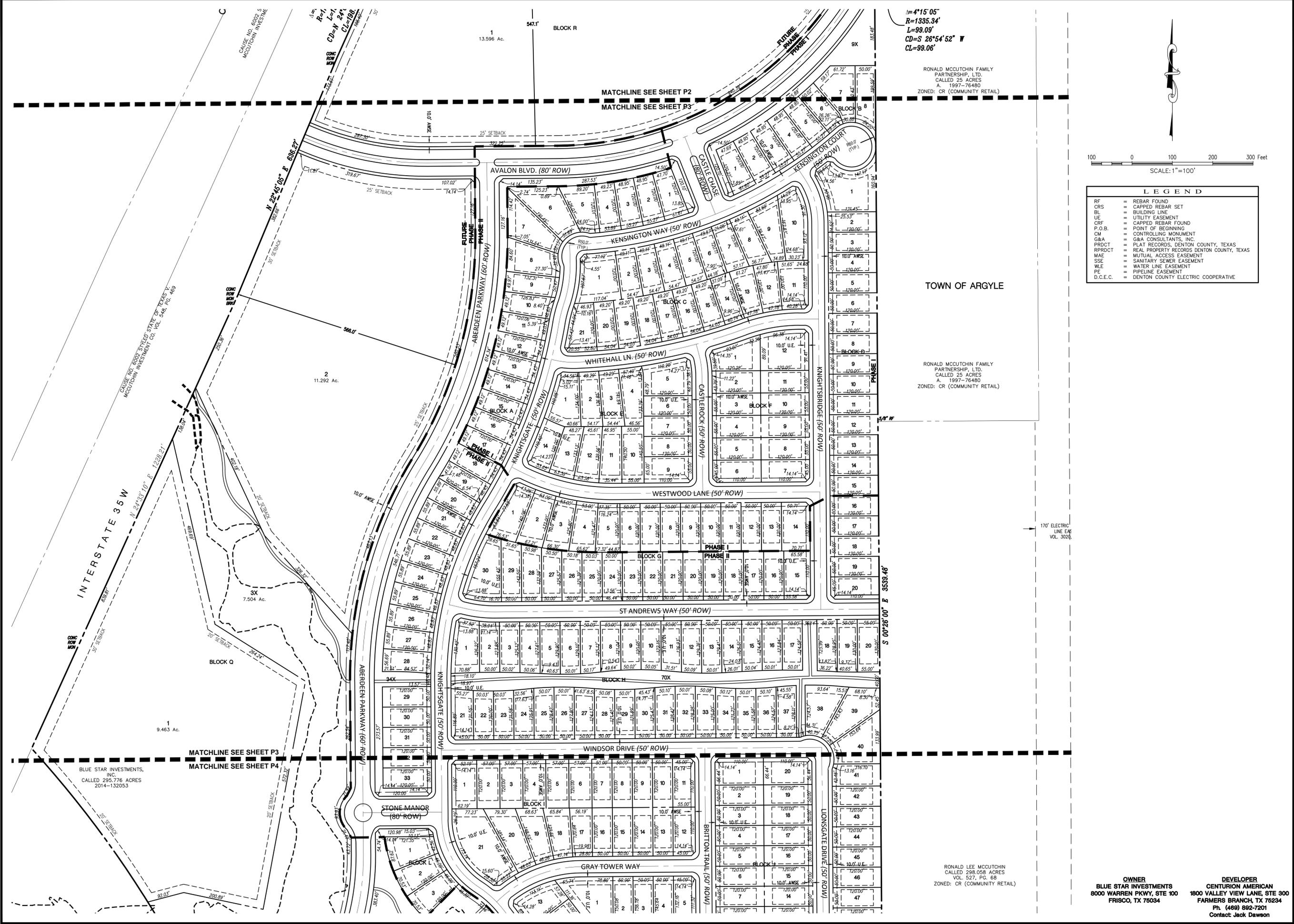
PRELIMINARY PLANS
 THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
 G&A CONSULTANTS, F-1798
 R. VON BOUGHNER,
 P.E. #69087
 DATE 2/3/2016

Drawn By: CMK
Date: 10/19/2015
Scale: 1" = 250'
Revisions:
11/16/2015
01/25/2016
02/03/2016

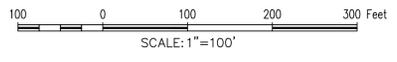
15019W


OWNER
 BLUE STAR INVESTMENTS
 8000 WARREN PKWY, STE 100
 FRISCO, TX 75034

DEVELOPER
 CENTURION AMERICAN
 1800 VALLEY VIEW LANE, STE 300
 FARMERS BRANCH, TX 75234
 Ph (469) 892-7201
 Contact: Jack Dawson



$\Delta = 4'15.05"$
 $R = 1335.34'$
 $L = 99.09'$
 $CD = S 26'54'52" W$
 $CL = 99.06'$



LEGEND

RF	=	REBAR FOUND
CRS	=	CAPPED REBAR SET
BL	=	BUILDING LINE
UE	=	UTILITY EASEMENT
CRF	=	CAPPED REBAR FOUND
P.O.B.	=	POINT OF BEGINNING
CM	=	CONTROLLING MONUMENT
G&A	=	G&A CONSULTANTS, INC.
PRDCT	=	PLAT RECORDS, DENTON COUNTY, TEXAS
RPRDCT	=	REAL PROPERTY RECORDS DENTON COUNTY, TEXAS
MAE	=	MUTUAL ACCESS EASEMENT
SSE	=	SANITARY SEWER EASEMENT
WLE	=	WATER LINE EASEMENT
PE	=	PIPELINE EASEMENT
D.C.E.C.	=	DENTON COUNTY ELECTRIC COOPERATIVE

TOWN OF ARGYLE

RONALD MCCUTCHIN FAMILY PARTNERSHIP, LTD.
 CALLED 25 ACRES
 A. 1997-76480
 ZONED: CR (COMMUNITY RETAIL)

SITE PLANNING CIVIL ENGINEERING PLANNING
CONSULTANTS, LLC
 LAND SURVEYING LANDSCAPE ARCHITECTURE
 11 Milldale Drive • Lewisville, TX 75057 • P: 972-888-9712 • F: 972-488-9715
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 TSPS Form No. 1798

AVALON AT ARGYLE
 in the
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 TOWN OF ARGYLE
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PRELIMINARY PLAT

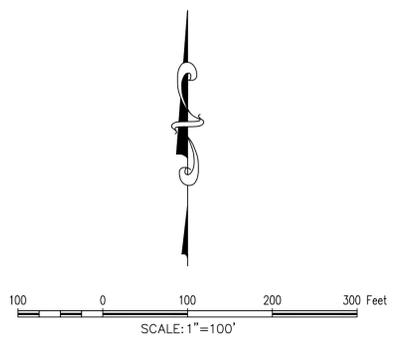
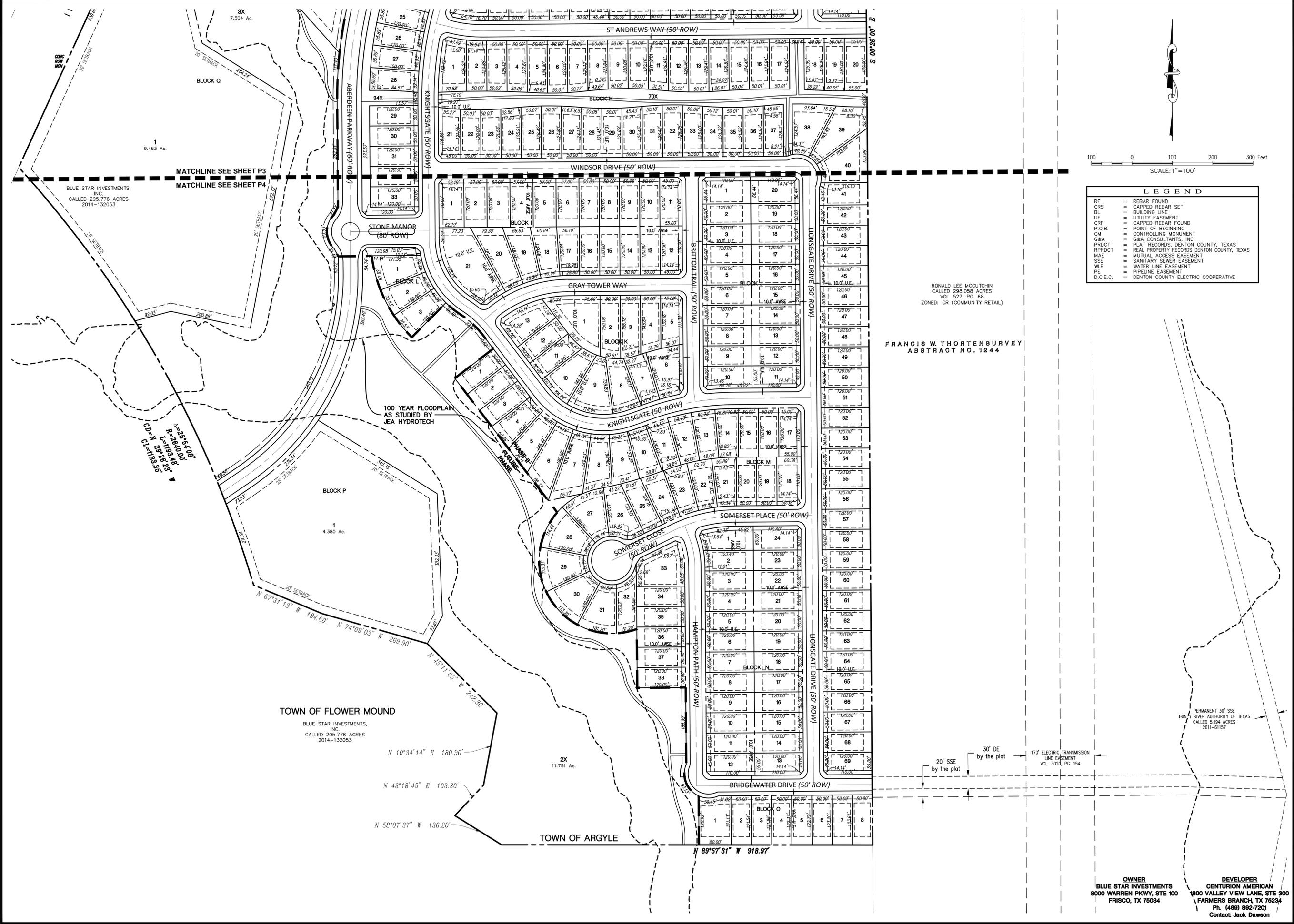
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Drawn By:	CMK
Date:	10/19/2015
Scale:	1"=100'
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	02/03/2016

15019W
 P3

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WLE	=	WATER LINE EASEMENT
PE	=	PIPELINE EASEMENT
D.C.E.C.	=	DENTON COUNTY ELECTRIC COOPERATIVE

RONALD LEE MCCUTCHIN
CALLED 298.058 ACRES
VOL. 527, PG. 68
ZONED: CR (COMMUNITY RETAIL)

FRANCIS W. THORTENBURY
ABSTRACT NO. 1244

MATCHLINE SEE SHEET P3
MATCHLINE SEE SHEET P4

BLUE STAR INVESTMENTS,
INC.
CALLED 295.776 ACRES
2014-132053

$\Delta = 55^{\circ}54'00''$
 $R = 266.000'$
 $L = 1193.418'$
 $CD = 1188.395'$

TOWN OF FLOWER MOUND
BLUE STAR INVESTMENTS,
INC.
CALLED 295.776 ACRES
2014-132053

N 10°34'14" E 180.90'
N 43°18'45" E 103.30'
N 58°07'37" W 136.20'

PERMANENT 30' SSE
TRINITY RIVER AUTHORITY OF TEXAS
CALLED 3.194 ACRES
2011-61157

20' SSE
by the plot

30' DE
by the plot

170' ELECTRIC TRANSMISSION
LINE EASEMENT
VOL. 3020, PG. 154

OWNER
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8000 WARREN PKWY, STE 100
FRISCO, TX 75034

DEVELOPER
CENTURION AMERICAN
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CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE

G&A

111 Millidge Drive • Lewisville, TX 75057 • P: 972-488-9712 • F: 972-488-9715
144 Old Fort Road • Argyle, TX 75015 • P: 972-482-2600 • F: 972-482-2608
TSPS Form No. 1798

AVALON AT ARGYLE
189.971 Acres
in the
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DENTON COUNTY, TEXAS

PRELIMINARY PLAT

PRELIMINARY PLANS
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Revisions:
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01/25/2016
02/03/2016

15019W

P4

AVALON AT ARGYLE

PLANNING AND ZONING COMMISSION DATA SHEET

**Agenda Item:**

Consider and make a recommendation for an ordinance amendment (ORD-16-001) regarding changes to Section 14.3.71-11 - Access and Frontage Standards for Residential Lots, Section C – Exceptions; of the Town of Argyle Town Development Standards.

Requested by:

Matt Jones, Director of Community Development

Background:

The Town Council requested Town Staff to bring forward an ordinance amendment that would evaluate the current regulations regarding requirements for private access when properties do not have frontage on a public right-of-way. The Council has preliminarily decided that the current regulations may go above and beyond what is reasonable to ask a home owner to do in order to provide adequate access, as well as, emergency vehicle access.

Town Staff has discussed the current regulations with the Argyle Fire Department and Town Police Department. Both departments indicated that the current regulations went above and beyond what is necessary to provide access to a residence from an emergency management standpoint.

Staff Recommendation:

Staff recommends keeping the dimensional provisions of width and height clearance, removing the language regarding materials, and making the construction a conditional approval as determined by the Fire Department Official and Town Building Official.

Requested Action:

Make a recommendation to Town Council for consideration.

Attachments:

Existing Ordinance

14.3.71-11 ACCESS AND FRONTAGE STANDARDS FOR RESIDENTIAL LOTS:

A. General Rule. All residential lots shall have frontage on a dedicated public street or an approved private street in accordance with the specifications of the zoning district that the lot is located within.

B. Exception. Minor reductions to the lot width and/or depth requirements may be considered on a final plat application by the Planning and Zoning Commission if the lot meets the area requirements of the zoning district it is located within.

C. Exception. No more than two (2) lots that do not meet the required frontage requirements may share a driveway located within a private access easement with the approval of a Specific Use Permit. A private access easement is defined as an area reserved for ingress and egress from a dedicated public street to no more than two (2) residential lots by the owners or occupants of said lots, their guests and emergency/governmental/public utility vehicles. All private access easements shall be dedicated on the final plat of subject lot(s) and privately maintained. The following minimum requirements shall be met in addition to any special requirements specified by the Town Council at the time of Specific Use Permit consideration:

1. The lots served by a private access easement shall each contain a minimum of 2.5 acres.
2. The private access easement shall be a minimum of thirty feet (30') in width.
3. The driveway within the private access easement shall be a minimum of fourteen feet (14') in width.
4. The driveway within the private access easement shall have a vertical clearance of fourteen feet (14').
5. The driveway within the private access easement shall be paved with asphalt a minimum of four inches (4") thick over six inches (6") of stabilized subgrade or concrete a minimum of five inches (5") thick over six inches (6") of stabilized subgrade as approved by the Town Engineer.
6. Provisions for drainage must be provided along the driveway within the private access easement.

7. Utilities shall be located within separate utility easements, which may overlap with the private access easement if space does not allow for separate adjacent easements.

8. Any homes located greater than 1,000 feet from the dedicated public street shall be equipped with an automatic fire sprinkler system.

9. A turnaround in the form of a loop or hammer head approved by the Fire Marshal shall be provided at the end of the private access easement.

10. The address for both residents shall be clearly posted at the intersection of the dedicated public street and the private access easement.

11. Directional signage for each address shall be clearly posted at the point where the private access easement splits toward each lot.

12. All required elements within the private access easement shall be maintained jointly by the two property owners in an acceptable manner for emergency vehicle access as determined by the Town Engineer, the Chief of Police and the Fire Marshal.

13. The Planning and Zoning Commission and the Town Council may consider alternatives to the standards listed above in items 1 through 12 on a case-by-case basis in conjunction with Specific Use Permit approval, provided such alternatives meet the health, safety and welfare requirements of the Town.

14. A site plan showing the location of the private access easement and the driveway, the pavement and subgrade thickness and all other required elements shall be submitted with each building permit for new home construction and approved by the Town Engineer.

15. All requirements as stated above along with any special requirements approved as part of the Specific Use Permit by the Town Council shall appear on the face of the final plat for the two lots.

16. A development with three (3) lots or more shall be required to extend a dedicated public street to provide frontage to all lots within the subdivision.

PLANNING AND ZONING COMMISSION DATA SHEET

**Agenda Item:**

Consider and make a recommendation for an ordinance amendment (ORD-16-002) regarding changes to Sections 14.3.32-4, 14.3.33-4, and 14.3.34-4 - Area Regulations; of the Town of Argyle Town Development Standards.

Requested by:

Matt Jones, Director of Community Development

Background:

The Town Council requested Town Staff to bring forward a discussion item regarding the minimum lot size requirements in the Town Development Standards regarding residential properties. The language in the subject single-family districts for lot size requirements is the following:

“Average Lot Depth - Lots shall maintain an average lot depth that is not less than two (2) times the lot width as measured at the front property line.”

“Average Lot Depth - Lots shall maintain an average lot depth that is not less than two (2) times the lot width as measured at the front building line for that portion of the lot located outside of the narrow “Flag” or “Panhandle” portion that extends from the right-of-way.”

The Council requested at their January Work Session that this language be removed so that if a property owner met the minimum lot size length, width, and area that they should be able to develop or subdivide their property.

Staff Recommendation:

N/A

Requested Action:

Make a recommendation to Town Council for consideration.

Attachments:

Sample Existing Ordinance Language

SECTION 14.3.32 A - AGRICULTURAL DISTRICT

14.3.32-4 AREA REGULATIONS:

A. Size of Lots:

1. Standard Lots:

- a. Minimum Lot Area - Five (5) acres[.]
- b. Minimum Lot Width - Three hundred feet (300') at the front property line.
- c. Minimum Lot Depth - Three hundred feet (300').
- d. Average Lot Depth - Lots shall maintain an average lot depth that is not less than two (2) times the lot width as measured at the front property line.

2. Flag Lots/Panhandle Lots:

- a. Minimum Lot Area - Five (5) acres for that portion of the lot located outside of the narrow “Flag” or “Panhandle” portion that extends from the right-of-way.
- b. Minimum Lot Width - One hundred feet (100') at the right-of-way and three hundred feet at the front building line.
- c. Minimum Lot Depth - Three hundred feet (300') for that portion of the lot located outside of the narrow “Flag” or “Panhandle” portion that extends from the right-of-way.
- d. Average Lot Depth - Lots shall maintain an average lot depth that is not less than two (2) times the lot width as measured at the front building line for that portion of the lot located outside of the narrow “Flag” or “Panhandle” portion that extends from the right-of-way.
- e. Maximum Length of “Flag” or “Panhandle” Portion of Lot - The narrow portion of a “Flag” or “Panhandle Lot” that extends from the right-of-way shall not exceed nine hundred (900) feet as measured perpendicular to the front property line.

PLANNING AND ZONING COMMISSION DATA SHEET

**Agenda Item:**

Consider and make a recommendation for amendments (ORD-16-003) to the Town of Argyle Comprehensive Plan regarding allowable residential densities.

Requested by:

Matt Jones, Director of Community Development

Background:

Town Staff has worked with the Town Attorney in an effort to create language in the Comprehensive Plan that allows the flexibility that the original plan was intended to have regarding allowable residential densities within the Town. The addendum to the plan would allow the regulating bodies to make decisions that would be consistent with the rural lifestyle and population numbers reflected in the comprehensive plan.

Town Council wishes to extend the intended flexibility of the Plan to allow for residential densities at levels consistent with or lower than the densities specifically provided for in the Plan.

Staff Recommendation:

Staff recommends adding the addendum to the Comprehensive Plan.

Requested Action:

Make a recommendation to Town Council for consideration.

Attachments:

Sample Ordinance

Whereas, the Town of Argyle Town Council approved its most recent Comprehensive Plan Update on XXX, 2009 (the "Plan"); and

Whereas, the Plan serves as a guide rather than being construed as a rigid code; and

Whereas, the Plan affirms the Town Council's intention to keep the Town's population small, and recognizes that the Town is proud and protective of its rural lifestyle; and

Whereas, based on public input, the Plan was designed and intended to be more flexible and focused on enabling the Town to accommodate future market demand while maintaining the rural character of the Town; and

Whereas, the Plan includes a wide range of residential densities and establishes residential densities which are sequential and reflect increasing intensities; and

Whereas, the Town Council wishes to extend the intended flexibility of the Plan to allow for residential densities at levels consistent with or lower than the densities specifically provided for in the Plan; and

Whereas, all prerequisites for the adoption of this Ordinance have been met, including, but not limited to, the Open Meetings Act and Chapter 211 of the Local Government Code; and

Whereas, the adoption of this Ordinance is in the best interests of the health, safety, and welfare of the public.

NOW THEREFORE, the Town Council of the Town of Argyle, Texas hereby Ordains:

1. That all matters stated herein above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

2. That the Land Use Plan and Thoroughfare Framework on the Comprehensive Plan is amended and supplemented with the following addition:

For any District which allows for residential uses as any density, whether single or multi-family, the Town has the prerogative and right to consider and approve any zoning change which includes residential densities at the levels provided for in the Plan and at any level which is less intensive than provided for in the Plan.

3. Conflicts clause.

4. Savings clause.

5. Effective date.