AGENDA
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
WEDNESDAY, APRIL 16, 2025
6:30 PM

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS

PRESENTATIONS

PUBLIC COMMENT This is an opportunity for citizens to address the Commission on items not posted on the current meeting agenda. Only those who have submitted a proper "Request to Speak Form" shall be permitted to speak. Citizens should provide their name and address for the record and will have no more than 3 minutes to speak. If representing an organization or group, the speaker should identify who they represent. Those wishing to speak are reminded 1). All comments are to be directed to the Commission. 2) Be respectful of others. 3) No profanity permitted. 4) Violators will be removed from the premises. No discussion by the Commission or Staff is allowed except to correct factual inaccuracies or request that the item be placed on a future agenda.

PUBLIC TESTIMONY FOR ACTION ITEMS This is an opportunity for citizens to address the Commission on current agenda action items (excludes presentations and reports). Only those persons who have submitted a proper "Request to Speak Form" will be allowed to speak. Citizens will be required to state their name and address for the record. They have up to 3 minutes to speak, and their comments must be germane to the item. If speaking for an organization or group, the speaker should identify the group represented. Commission members may ask questions or discuss the item with the citizens directly.

REPORTS

CONSENT AGENDA All the items on the consent agenda are considered to be self-explanatory by the Commission and will be enacted with one motion, one second, and one vote. There will be no separate discussion of these items. Any member wishing to pull an item may do so.

1. Consider action to approve the meeting minutes of the October 16, 2024 regular meeting of the Planning and Zoning Commission.

PUBLIC HEARING

1. **P.25-01:** Public hearing to receive comments regarding a final plat for Lots 1-86 & 96-125 Block A, Lots 1-6 Block B, Lots 1-8 Block C being known as The Pointe at Capp Smith Lake Addition, located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road. The final plat is to subdivide 11.703 acres out of the Phillip Green Survey, Abstract No. 566 into 123 total lots and 7 open space lots to accommodate the single-family townhome development. Owner, CW-Smith Lake LLC. Applicant, Ashton Woods.

ACTION ITEMS

1. **P.25-01:** Consideration of a request from Ashton Woods for a final plat out of the Phillip Green Survey, Abstract No. 566, being 11.703 acres. This development, known as the Pointe at Capp Smith Lake Phase I, includes 123 single-family residential townhome lots and seven open-space lots.
   Jeannette Garcia, Planner I

ITEMS FOR FUTURE AGENDAS

ADJOURNMENT

Meeting Notices and Reservation of Rights The City Council/Board/Commission/Committee may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the [City Council/Board/Commission/Committee] to address a subject matter on the agenda. Action, if any, will be taken in open session. Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda which occur at the meeting, but no action will be taken by such in attendance unless such item and

action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

[PZA_LEGAL_INFO]
NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625 FOR FURTHER INFORMATION.

I, Linda Proskey, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on April 11, 2025, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

/S/ Linda Proskey
City Secretary

AGENDA MEMORANDUM

DATE: March 29, 2025

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: Consider action to approve the meeting minutes of the October 16, 2024 regular meeting of the Planning and Zoning Commission.

BACKGROUND/INFORMATION:

This item contains meeting minutes from October 16, 2024 for Planning and Zoning review and approval.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Staff recommends the Planning and Zoning Commission review and approve the meeting minutes as presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. October 16, 2024 - Regular Meeting Minutes - DRAFT

REVIEWED BY:

Paul Hackleman, Director of Public Works	Approved - 4/10/2025
Sandra Gibson, City Manager	Approved - 4/10/2025
Linda Proskey, City Secretary	Final Approval - 4/11/2025

Approved as to form for inclusion on Agenda

"A GREAT PLACE TO LIVE"

MINUTES
PLANNING AND ZONING COMMISSION
WEDNESDAY, OCTOBER 16, 2024
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
REGULAR MEETING
6:30 P.M.

CALL TO ORDER

Vice-Chairperson Jillian Giles called the meeting to order at 6:33 p.m.

ROLL CALL

Sebastian Posada	Place 1, Member
Quincy Adams	Place 2, Secretary – Absent w/notice
Jillian Giles	Place 3, Vice-Chairperson
Kelly White	Place 4, Member
Darlene Chavious	Place 5, Member
Karen Isbell	Place 6, Chairperson – Absent w/notice
Sharon Gehle	Place 7, Member

And

Jan Hill	City Council Place 7 Liaison
Jeannette Garcia	Planner I
Art Miner	Mayor

PRESENTATIONS

Planning and Zoning Commission Annual Orientation, led by Mayor Miner and Planner Jeannette Garcia.

PUBLIC COMMENT

Vice-Chairperson Giles called for Public Comment, and there were no participants requesting to speak.

PUBLIC TESTIMONY FOR ACTION ITEMS

Vice-Chairperson Giles called for Public Testimony for action items. and there were no participants requesting to speak.

ANNOUNCEMENTS

CONSENT AGENDA

1. Consider action to approve the meeting minutes of August 21, 2024, Regular meeting of the Planning and Zoning Commission

   Vice-Chairperson Giles entertained a motion. Member Gehle made a motion to approve August 21, 2024 minutes as presented and Member Posada seconded the motion.

   With there being no discussion, Vice-Chairperson Giles called for a vote, with members present voting as follows:

   AYES: Posada, Giles, White, Chavious, Gehle
   NAYS: None
   ABSENT: None
   ABSTAIN: None

   The motion carried 5-0-0-0.

ACTION ITEMS

1. Discussion and action on selection of Chairperson, Vice-Chairperson and Secretary.

a. Vice-Chairperson Giles entertained a motion for selection of Chairperson. Member Gehle made a motion select Member Isbell as Chairperson and Member White seconded the motion.

With there being no discussion, Vice-Chairperson Giles called for a vote, with members present voting as follows:

AYES: Posada, Giles, White, Chavious, Gehle
NAYS: None
ABSENT: None
ABSTAIN: None

The motion carried 5-0-0-0.

b. Vice-Chairperson Giles entertained a motion for selection of Vice-Chairperson. Member Gehle made a motion to select Member Giles as Vice-Chairperson and Member Posada seconded the motion.

With there being no discussion, Vice-Chairperson Giles called for a vote, with members present voting as follows:

AYES: Posada, Giles, White, Chavious, Gehle
NAYS: None
ABSENT: None
ABSTAIN: None

The motion carried 5-0-0-0.

c. Vice-Chairperson Giles entertained a motion for selection of Secretary. Member Gehle made a motion to select Member Adams as Secretary and Member White seconded the motion.

With there being no discussion, Vice-Chairperson Giles called for a vote, with members present voting as follows:

AYES:	Posada, Giles, White, Chavious, Gehle
NAYS:	None
ABSENT:	None
ABSTAIN:	None

The motion carried 5-0-0-0.

ITEMS FOR FUTURE AGENDAS

Sebastian Posada	Place 1 - None
Quincy Adams	Place 2 – Absent
Jillian Giles	Place 3 – None
Kelly White	Place 4 - None
Darlene Chavious	Place 5 – None
Karen Isbell	Place 6 - Absent
Sharon Gehle	Place 7 – STR Rentals; Carports; Fence fees

ADJOURNMENT

With there being no further items to discuss, Vice-Chairperson Giles adjourned the meeting at 8:04 p.m.

APPROVED: this the _____ day of _____, 2024.

SIGNED: this the _____ day of _____, 2024.

APPROVED:_____
Karen Isbell, Chairperson

ATTEST: _____
Quincy Adams, Secretary

NOTE: Original Audio Recording of this meeting is preserved and maintained by the City Secretary's Office.

AGENDA MEMORANDUM

DATE: March 29, 2025

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **P.25-01:** Public hearing to receive comments regarding a final plat for Lots 1-86 & 96-125 Block A, Lots 1-6 Block B, Lots 1-8 Block C being known as The Pointe at Capp Smith Lake Addition, located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road. The final plat is to subdivide 11.703 acres out of the Phillip Green Survey, Abstract No. 566 into 123 total lots and 7 open space lots to accommodate the single-family townhome development. Owner, CW-Smith Lake LLC. Applicant, Ashton Woods.

BACKGROUND/INFORMATION:

The public hearing notice was duly posted and published by the City Secretary's Office on March 31, 2025 in the Fort Worth Star Telegram. Written notice of the public hearing on the this final plat were sent to all owners of property, or to the person rendering the same for city taxes within two-hundred (200) feet of the subject property.

The Phillip Green Survey, Abstract No. 566 will be subdivided into 123 total lots and 7 open spaces to accommodate a single-family residential development that was approved as Ordinance No. 2023-007 by the city council during the May 8, 2023 regular meeting as a planned development. The property is located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road. The preliminary plat was presented to Council during the December 11, 2023 regular meeting for final approval, which allowed for civil construction of the development.

Texas Local Government Code 212.005 requires the municipal authority responsible for approval of plats to approve a plat that is required to be prepared under this subchapter and satisfies all applicable regulations.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommend consideration of the comments received during the public hearing of this final plat request and recommend approval to council during the May 12, 2025, regular meeting of the City Council.

AGENDA MEMORANDUM

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Public Hearing Notice - Final Plat P@CSL
2. P.25-01 - Final Plat - PCSL - iPublish MarketPlace - FWST
3. 7200 Denton Hwy - 200 ft. notices mailed - wLocation Map - 04022025

REVIEWED BY:

Paul Hackleman, Director of Public Works	Approved - 4/10/2025
David Berman, City Attorney	Approved - 4/10/2025
Sandra Gibson, City Manager	Approved - 4/10/2025
Linda Proskey, City Secretary	Final Approval - 4/11/2025

Approved as to form for inclusion on Agenda

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be public hearings before the City of Watauga Planning and Zoning Commission and City Council at their regularly scheduled meetings on April 16, 2025 and May 12, 2025 beginning at 6:30 p.m. in the City Council Chambers at 7105 Whitley Road, Watauga, TX regarding the following item:

P.25-01: Public hearing to receive comments regarding a final plat for Lots 1-86 & 96-125 Block A, Lots 1-6 Block B, Lots 1-8 Block C being known as The Pointe at Capp Smith Lake Addition, located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road. The final plat is to subdivide 11.703 acres out of the Phillip Green Survey, Abstract No. 566 into 123 total lots and 7 open space lots to accommodate the single-family townhome development. Owner, CW-Smith Lake LLC. Applicant, Ashton Woods.

Published on March 31, 2025 in the Star Telegram, Legal Notices Section.

I, Linda Proskey, City Secretary for the City of Watauga, Texas, hereby certify that this notice was posted on the official bulletin board at City Hall, 7105 Whitley Road, Watauga, Texas, on March 31, 2025 before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.

___/s/__Linda Proskey_____
Linda Proskey, City Secretary

NOTICE OF PUBLIC HEARING
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/s/Linda Proskey
Linda Proskey, City Secretary
IPL0224955
Mar 31 2025

Post Date: 03/31 12:00 AM

Refcode: #IPL0224955 iPrint

Similar Listings

CITY OF ARLINGTON

NOTICE OF PUBLIC HEARING

Public hearings will be held by the Planning and Zoning Commission of Arlington, Texas in the Council Chamber, 1st Floor at City Hall, 101 West Abram S... Show more »

Post Date: 03/26 12:00 AM

NOTICE OF PUBLIC HEARING
A hearing will be held pursuant to Texas Parks and Wildlife Code - Chapter 26 concerning the following project on public park property:
The City of Fort Worth (City) reques... Show more »

Post Date: 03/02 12:00 AM

Notice for Publication
NOTICE OF APPLICATION OF THE CITY OF MANSFIELO TO AMEND ITS CERTIFICATES OF

Public Hearing Notice – Final Plat

March 31, 2025

Dear Property Owner:

Public hearings will be held before the City of Watauga Planning and Zoning Commission and City Council at their regularly scheduled meetings on April 16, 2025 and May 12, 2025 beginning at 6:30 p.m. in the City Council Chambers at 7105 Whitley Road, Watauga, TX regarding the following item:

P.25-01: Public hearing to receive comments regarding a final plat for Lots 1-86 & 96-125 Block A, Lots 1-6 Block B, Lots 1-8 Block C being known as The Pointe at Capp Smith Lake Addition, located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road. The final plat is to subdivide 11.703 acres out of the Phillip Green Survey, Abstract No. 566 into 123 total lots and 7 open space lots to accommodate the single-family townhome development. Owner, CW-Smith Lake LLC. Applicant, Ashton Woods.

In accordance with State law, you are receiving this notice due to public records available through Tarrant Appraisal District which reflect you are the owner(s) of one or more parcels within two hundred (200) feet of the subject property. A site map is attached for your information. This notice will serve as public notice for all properties owned in the subject area.

If you are interested, you are invited to attend these meetings. If you cannot attend these meetings and wish to provide written comments or documentation for consideration, please return your information on the attached response form.

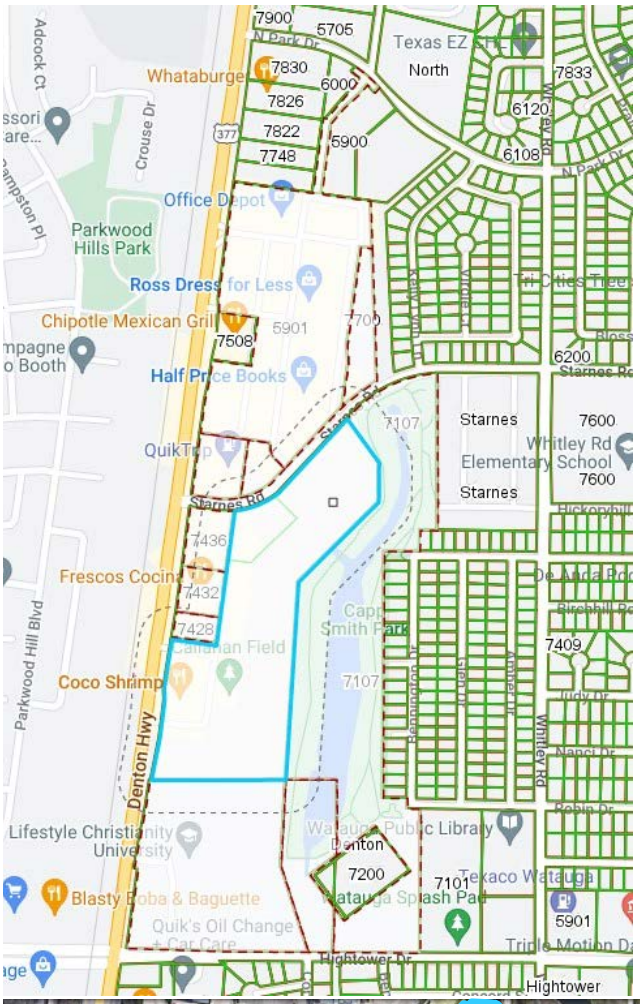
If you have any questions, please contact me at 817-514-5827 or e-mail jgarcia@wataugatx.org.

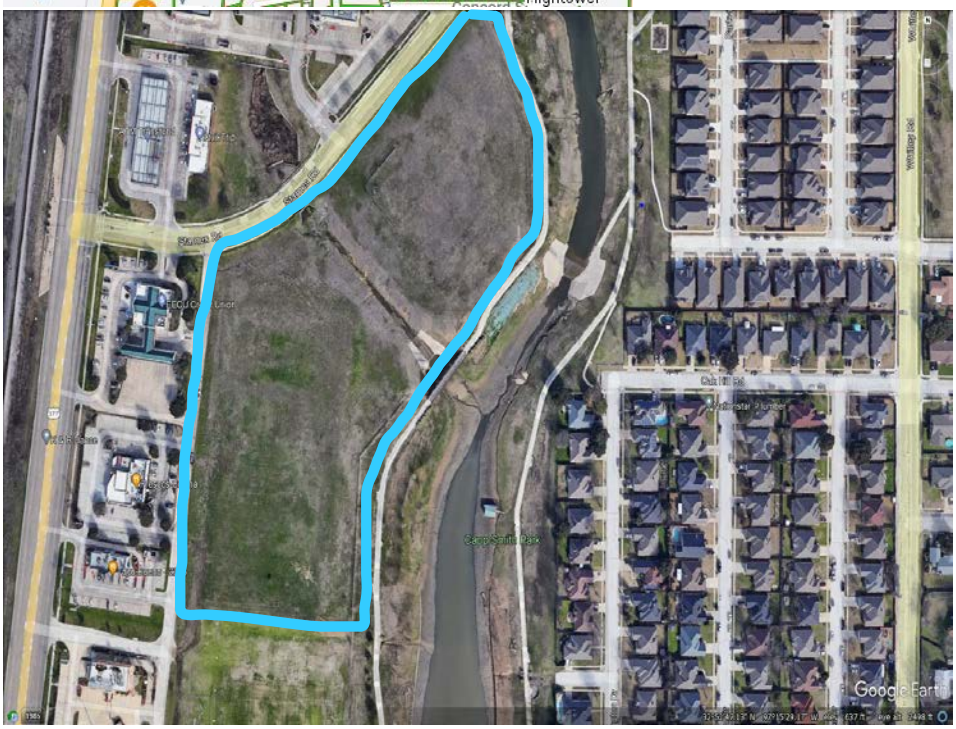
Sincerely,

Jeannette Garcia

Jeannette Garcia
Planner I

City of Watauga
Development Services
7800 Virgil R. Anthony Sr. Blvd.
Watauga, TX 76148
http://www.wataugatx.org





Prepared by Development Services 04/02/2025

Disclaimer: *This product is for informational purposes only and represents the approximate relative location of property boundaries.

To: City of Watauga, Texas

From: _____

_____
(Address of Your Property that Could Be Impacted by this Request)

RE: **P.25-01:** Public hearing to receive comments regarding a final plat for Lots 1-86 & 96-125 Block A, Lots 1-6 Block B, Lots 1-8 Block C being known as The Pointe at Capp Smith Lake Addition, located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road. The final plat is to subdivide 11.703 acres out of the Phillip Green Survey, Abstract No. 566 into 123 total lots and 7 open space lots to accommodate the single-family townhome development. Owner, CW-Smith Lake LLC. Applicant, Ashton Woods.

Comments:_____

_____

_____

_____

_____ _____
Printed Name Signature

_____
Date

Return to: City of Watauga Development Services
7800 Vigil R. Anthony Sr. Blvd.
Watauga, TX 76148
Email: jgarcia@wataugatx.org

AGENDA MEMORANDUM

DATE: April 2, 2025

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **P.25-01:** Consideration of a request from Ashton Woods for a final plat out of the Phillip Green Survey, Abstract No. 566, being 11.703 acres. This development, known as the Pointe at Capp Smith Lake Phase I, includes 123 single-family residential townhome lots and seven open-space lots.

BACKGROUND/INFORMATION:

Applicant, Ashton Woods/Ashton Dallas Residential LLC has applied for approval of a final plat of The Pointe at Capp Smith Lake Addition. The property is zoned PD (Planned Development). The zoning was approved by the City Council on May 8th, 2023 (Ordinance No. 2023-007). Local Government Code Sec. 212.005 requires a final plat to be approved prior to the issuance of building permits. A portion of the lots are within 100 yr. Flood Plain map dated September 25, 2009. The lots being considered for Phase II are awaiting a response from FEMA.

This townhome development will create profitable sales growth for the neighboring business establishments, including restaurants, banking services, automotive needs and a church.

The lot sizes on the plat range from 1650 square feet to 2204 square feet, with an average size of 1927 square feet. The typical residential lot is 22 feet wide and 75 feet deep, with a maximum density of 12 dwelling units per acre. The development incorporates 3.844 acres of open space in 7 lots. All common areas are to be dedicated to and maintained by the Homeowner's Association, Inc. The easements and public use areas are dedicated to the benefit of the owners of the property in this subdivision, their leases and guests, as indicated on the plat. Any improvements must be in accordance with Ordinance No. 2023-007.

The Planning and Zoning Commission will consider this request on April 16, 2025 for recommendation of approval of the preliminary report to be presented before the City Council as a final report on May 12, 2025.

FINANCIAL IMPLICATIONS:

NA

AGENDA MEMORANDUM

RECOMMENDATION/ACTION DESIRED:

City staff recommend approval of the final plat as requested.

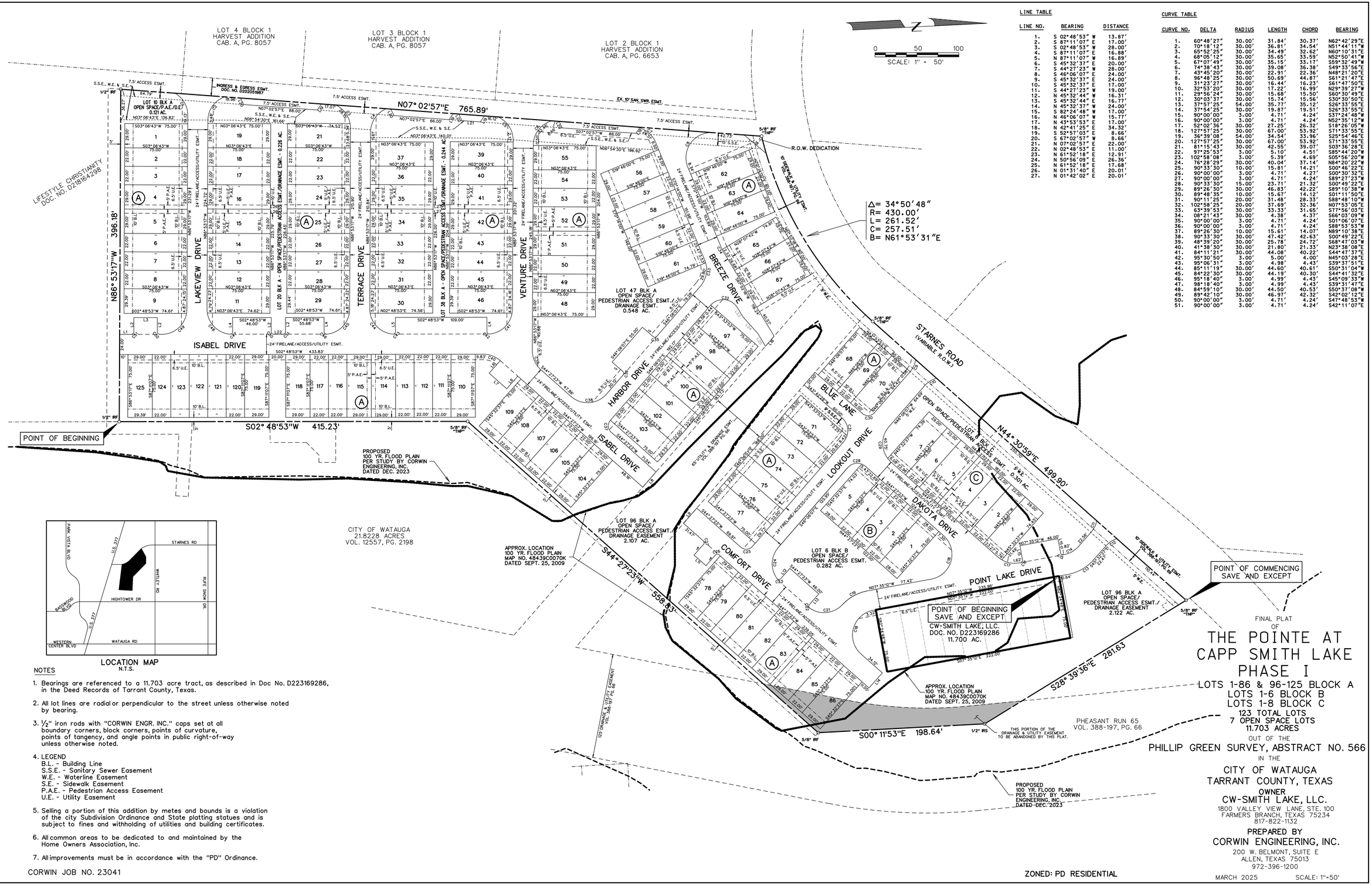
ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. The Pointe at Capp Smith lake - final plat
2. Preliminary Report - P. 25-01 - Final plat
3. Sec. 113-7 - Final Plat - Supp 17

REVIEWED BY:

Paul Hackleman, Director of Public Works	Approved - 4/10/2025
David Berman, City Attorney	Approved - 4/10/2025
Sandra Gibson, City Manager	Approved - 4/10/2025
Linda Proskey, City Secretary	Final Approval - 4/11/2025

Approved as to form for inclusion on Agenda



LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	S 02°48'53" W	13.87'
2.	S 87°11'07" E	17.00'
3.	S 02°48'53" W	28.00'
4.	S 87°11'07" E	16.88'
5.	N 87°11'07" W	16.89'
6.	S 45°32'37" E	20.00'
7.	S 44°27'23" W	28.00'
8.	S 46°06'07" E	24.00'
9.	S 45°32'37" E	24.00'
10.	S 45°32'37" E	17.00'
11.	S 44°27'23" W	19.00'
12.	N 45°32'44" W	16.31'
13.	S 45°32'44" E	16.77'
14.	N 45°32'37" W	24.00'
15.	S 82°24'48" W	17.00'
16.	N 46°06'07" W	15.77'
17.	N 43°53'53" E	17.00'
18.	N 42°41'25" E	34.32'
19.	S 52°57'03" E	8.66'
20.	S 67°02'57" W	8.66'
21.	N 07°02'57" E	22.00'
22.	N 02°48'53" E	11.00'
23.	N 61°52'18" E	12.91'
24.	N 50°56'09" E	26.36'
25.	N 61°52'18" E	17.68'
26.	N 01°31'40" E	20.01'
27.	N 01°42'02" E	20.01'

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING
1.	60°48'27"	30.00'	31.84'	30.37'	N62°42'29"E
2.	70°18'12"	30.00'	36.81	34.54'	N51°44'11"W
3.	65°52'25"	30.00'	34.49'	32.62'	N60°10'31"E
4.	68°05'12"	30.00'	35.65'	33.59'	N52°50'41"W
5.	67°07'49"	30.00'	35.15'	33.17'	S59°32'49"W
6.	74°38'43"	30.00'	39.08'	36.38'	S49°33'56"E
7.	43°45'20"	30.00'	22.91'	22.36'	N48°21'20"E
8.	96°48'25"	30.00'	50.69'	44.87'	S61°21'47"E
9.	31°23'27"	30.00'	16.44'	16.23'	S61°47'50"E
10.	32°53'20"	30.00'	17.22'	16.99'	N29°39'27"W
11.	29°56'24"	30.00'	15.68'	15.50'	S60°30'49"E
12.	30°03'37"	30.00'	15.74'	15.56'	S30°30'50"E
13.	37°57'25"	54.00'	35.77'	35.12'	S26°33'55"E
14.	31°54'25"	30.00'	19.87'	19.51'	S26°33'55"E
15.	90°00'00"	3.00'	4.71'	4.24'	S37°24'48"W
16.	90°00'00"	3.00'	4.71'	4.24'	N52°35'12"W
17.	52°02'56"	30.00'	27.25'	26.32'	S18°26'05"W
18.	127°57'25"	30.00'	67.00'	53.92'	S71°33'55"E
19.	36°39'08"	54.00'	34.54'	33.96'	S25°54'46"E
20.	127°57'25"	30.00'	67.00'	53.92'	S71°33'55"E
21.	81°15'43"	30.00'	42.55'	39.07'	S03°36'28"E
22.	97°25'53"	3.00'	5.10'	4.51'	S85°44'20"W
23.	102°58'08"	3.00'	5.39'	4.69'	S05°56'20"W
24.	76°28'29"	30.00'	40.04'	37.14'	N84°20'22"W
25.	90°33'30"	10.00'	15.81'	14.21'	S00°46'22"E
26.	90°00'00"	3.00'	4.71'	4.27'	S00°30'32"E
27.	90°00'00"	3.00'	4.71'	4.24'	S89°27'23"W
28.	90°33'30"	15.00'	23.71'	21.32'	S00°49'22"E
29.	89°26'30"	30.00'	46.83'	42.22'	S89°10'38"W
30.	89°48'35"	10.00'	15.67'	14.12'	S01°11'50"E
31.	90°11'25"	20.00'	31.48'	28.33'	S88°48'10"W
32.	102°58'25"	20.00'	37.69'	32.36'	N07°53'05"E
33.	63°39'53"	30.00'	33.33'	31.65'	S77°56'03"E
34.	98°21'43"	30.00'	4.38'	4.37'	S66°03'09"W
35.	90°00'00"	3.00'	4.71'	4.24'	S01°06'07"E
36.	90°00'00"	3.00'	4.71'	4.24'	S88°53'53"W
37.	89°26'30"	10.00'	15.61'	14.07'	N89°10'38"E
38.	90°33'30"	30.00'	47.42'	42.63'	S00°49'22"E
39.	46°39'20"	30.00'	25.78'	24.72'	S89°47'03"W
40.	41°38'30"	30.00'	21.80'	21.33'	N23°38'08"E
41.	84°11'21"	30.00'	44.08'	40.22'	S44°47'37"E
42.	90°30'50"	3.00'	5.00'	4.00'	N45°03'28"E
43.	95°06'31"	3.00'	4.98'	4.43'	S39°37'51"E
44.	85°11'19"	30.00'	44.60'	40.61'	S50°31'04"W
45.	84°22'30"	30.00'	44.19'	40.30'	S44°41'32"E
46.	95°18'40"	3.00'	4.99'	4.43'	S45°09'33"W
47.	98°18'40"	3.00'	4.99'	4.43'	S39°31'47"E
48.	84°59'10"	30.00'	44.50'	40.53'	S50°37'08"W
49.	89°42'10"	30.00'	46.97'	42.32'	S42°02'12"E
50.	90°00'00"	3.00'	4.71'	4.24'	S47°48'53"W
51.	90°00'00"	3.00'	4.71'	4.24'	S42°11'07"E

LOCATION MAP
N.T.S.

NOTES

1. Bearings are referenced to a 11.703 acre tract, as described in Doc No. D223169286, in the Deed Records of Tarrant County, Texas.
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
4. LEGEND
   B.L. - Building Line
   S.S.E. - Sanitary Sewer Easement
   W.E. - Waterline Easement
   S.E. - Sidewalk Easement
   P.A.E. - Pedestrian Access Easement
   U.E. - Utility Easement
5. Selling a portion of this addition by metes and bounds is a violation of the city Subdivision Ordinance and State platting statues and is subject to fines and withholding of utilities and building certificates.
6. All common areas to be dedicated to and maintained by the Home Owners Association, Inc.
7. All improvements must be in accordance with the "PD" Ordinance.

CORWIN JOB NO. 23041

ZONED: PD RESIDENTIAL

FINAL PLAT
OF
THE POINTE AT CAPP SMITH LAKE PHASE I

LOTS 1-86 & 96-125 BLOCK A
LOTS 1-6 BLOCK B
LOTS 1-8 BLOCK C
123 TOTAL LOTS
7 OPEN SPACE LOTS
11.703 ACRES

OUT OF THE
PHILLIP GREEN SURVEY, ABSTRACT NO. 566
IN THE
CITY OF WATAUGA
TARRANT COUNTY, TEXAS

OWNER
CW-SMITH LAKE, LLC.
1800 VALLEY VIEW LANE, STE. 100
FARMERS BRANCH, TEXAS 75234
817-822-1132

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

MARCH 2025 SCALE: 1"=50'

LEGAL DESCRIPTION

BEING, a tract of land situated in the Phillip Green Survey, Abstract Number 566, in the City of Watauga, Texas, Tarrant County, Texas, being all of a 11.703 acre tract, as described in Doc. No. D223169286 the Deed Records of Tarrant County, Texas, and being more particularly described as follows:

BEGINNING, at a 1/2 inch iron rod found at the southwest corner of said 11.703 acre tract;

THENCE, North 86° 53'17" West, along the south line of said 11.703 acre tract, for a distance of 396.18 feet, to a 1/2 inch iron rod found at the southwest corner of said 11.703 acre tract;

THENCE, North 07° 02'57" East, along the west line of said 11.703 acre tract, for a distance of 765.89 feet, to a 5/8 inch iron rod found stamped "TNP" at the northwest corner of said 11.703 acre tract being in the south line of Starnes Road (Variable R.O.W.), being on a curve to the left, having a radius of 430.00 feet, a central angle of 34° 50'48";

THENCE, along the north line of said 11.703 acre tract with said south line and withs said curve to the left for an arc distance of 261.52 feet (Chord Bearing North 61° 53'31" East - 257.51 feet), to a 5/8 inch iron rod found stamped "TNP", at the point of tangency;

THENCE, North 44° 30'59" East, continuing along said lines, for a distance of 499.90 feet, to a 5/8 inch iron rod found stamped "TNP", at the northeast corner of said 11.703 acre tract;

THENCE, South 28° 39'36" East, departing the south line of said Starnes Road and along the east line of said 11.703 acre tract, for a distance of 281.63 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 00° 11'53" East, continuing along said east line, for a distance of 198.64 feet, to a 5/8 inch iron rod found;

THENCE, South 44° 27'23" West, continuing along said east line, for a distance of 558.83 feet, to a 5/8 inch iron rod found stamped "TNP";

THENCE, South 02° 48'53" West, continuing along said east line, for a distance of 415.23 feet, to the POINT OF BEGINNING and containing 11.702 acres of land.

SAVE AND EXCEPT

BEING, a tract of land situated in the Phillip Green Survey, Abstract Number 566, in the City of Watauga, Texas, Tarrant County, Texas, being all of a 11.703 acre tract, as described in Doc. No. D223169286 the Deed Records of Tarrant County, Texas, and being more particularly described as follows:

COMMENCING, at a 5/8 inch iron rod found at the most northerly corner of said 11.703 acre tract being in the south line of Starnes Road (Variable R.O.W.);

THENCE, South 44° 30'59" West, along the north line of said 11.703 acre tract and with the south line of said Starnes Road, for a distance of 110.44 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", being on a curve to the left, having a radius of 30.00 feet, a central angle of 30° 03'37";

THENCE, departing said north and south lines and with said curve to the left for a arc distance of 15.74 feet (Chord Bearing South 30° 30'50" East - 15.56 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 45° 32'37" East, for a distance of 22.47 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 54.00 feet, a central angle of 37° 57'25";

THENCE, along said curve to the right for an arc distance of 35.77 feet (Chord Bearing South 26° 33'55" East - 35.12 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, South 07° 35'12" East, for a distance of 10.64 feet, to 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." , at the POINT OF BEGINNING;

THENCE, North 82° 24'48" East, for a distance of 75.00 feet, to 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 07° 32'12" East, for a distance of 222.00 feet, to 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 82° 24'48" West, for a distance of 75.00 feet, to 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 07° 35'12" West, for a distance of 222.00 feet, to the POINT OF BEGINNING and containing 0.382 acres of land.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that I, WARREN L. CORWIN, do hereby certify that I prepared this Plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivison regulations of the City of Watauga, Texas.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS §
COUNTY OF COLLIN §

Before me, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this_____day of _____, 2025.

_____
NOTARY PUBLIC, STATE OF TEXAS

Planned Development Ordinance Notes:

The Planned Development is subject to the Single Family (SF-6) District Regulations.

1) Use regulations. Only attached single-family dwellings and incidental uses shall be allowed as uses in the Planned Development.

2) Lot number, size and density regulations.
a) The overall density of the Property shall not exceed twelve (12) residential units per acre.
b) The lot width for each residential lot must be no less than twenty-two (22) feet, as depicted in Exhibit "B".
c) The lot depth for each residential lot must be no less than seventy-five (75) feet.
d) The front yard setback for each residential lot must be no less than ten (10) feet.
e) All buildings must be separated by at least ten (10) feet with no obstructions.

3) Dwelling number and size regulations.
a) The number of dwellings units must be arranged in either three (3), four (4), five (5), six (6) or seven (7) unit buildings.
b) The bulk-controlled area of a dwelling unit must be no less than one thousand six hundred (1,600) square feet.
c) Each dwelling unit must have, on its associated lot, a driveway and rear garage access via a private road. Each dwelling unit must have one garage, and each garage must be a minimum of nineteen (19) feet wide by twenty (20) feet deep, located a minimum of ten (10) feet from the rear private road line. Each lot shall have private parking for three (3) vehicles. Each unit's garage must connect to the private road via a private driveway.
d) Garage conversions are prohibited within the subdivision.

4) Architectural regulations:
a) All buildings may be one hundred percent (100%) brick, or stone along the front elevation.
b) No less than eighty percent (80%) of the back exterior wall of each dwelling unit may be brick or stone, except for areas above the roofline.
c) One hundred percent (100%) of the building side walls may be brick or stone.
d) Driveway surface material must consist of concrete or concrete pavers, with a broom-finished surface.
e) All primary roofs must contain a 6:12 minimum pitch.
f) All garage doors must consist of a decorative metal door with a raised panel and must be connected to operable automated garage door opening system.
g) All residential units shall contain at least three of the following architectural features, known as "Gifts to the Street":
i. Divided light windows on street-facing elevations, except that corner lots must contain divided light windows on both front street-facing elevations and side street-facing elevations
ii. Enhanced brick details
iii. Metal seam roof accents iv. Cedar shutter accents
v. Cast stone accents
vi. Inclusion of at least two (2) masonry materials vii. Decorative coach lighting
viii. Enhanced address plaques with street names and addresses ix. Porches
x. Alternative stone wainscoting

5) Landscaping and screening regulations.
a) Trees shall generally conform to the Landscape Plan, attached hereto as Exhibit "C" and incorporated herein for all purposes.
b) No trees shall be planted within five (5) feet of an underground utility structure or within thirty $^{35}/_{64}$ five (35) of the projected straight line edge of street or private road intersection.
c) All property other than individual residential lots must have irrigation systems, with front, side and rear landscaping, as provided in Exhibits "B" and "C" to be maintained by a homeowners' association established for the development.

6) Additional regulations.
a) Open space and guest parking areas shall be provided, as generally depicted in Exhibit "B."
b) All utilities shall be placed underground.
c) Enhanced "Dark Sky" type decorative streetlights must be installed. Such streetlights shall be owned and maintained by the homeowner's association (HOA) and must operate from dusk to dawn as approved by the City spaced at one hundred seventy-five (175) feet or less.
d) Private road lighting shall be "Dark Sky" type and must be lit from dusk to dawn spaced at one hundred seventy-five (175) feet internals or less.
e) Decorative sign poles must be installed.
f) HOA shall be responsible for maintaining all private roads, private road connections to streets in public right of way, HOA water meters, streetlights, fences, underground utilities, drainage channel, landscaping to back of curb, and all other associated appurtenances related to this PD development. The City may inspect said facilities and issue notice of maintenance due. HOA shall pull permits to start repairs within two (2) months of notification by the City. Failure to pull a permit and make repairs shall result in $500 fines per day from date of first notice of maintenance due. Emergency repairs may be made by the City without prior approval by the HOA and billed to the HOA for all material, fuel, equipment, and labor plus ten (10) percent administrative fee. Emergency repairs include water main breaks, wastewater overflows, or any situation that poses a risk to the safety of the residents of Watauga or public infrastructure.
g) Private HOA water mains shall be metered at public connection and limited to the minimum number of connections as determined by the Public Works Department. The HOA shall pay the City monthly the difference between the HOA meters and the total of all residential water meters at the residential rate.
h) HOA deed restrictions - covenants, conditions and restrictions shall be approved by the City prior to filing and recordation and shall contain provisions:
a. imposing mandatory assessments on owners of properties for maintenance and repair of common areas and private streets;
b. requiring the establishment of a reserve fund sufficient to pay for maintenance and repairs;
c. authorizing but not requiring the City to assume the foregoing maintenance and repair obligations in the event of a default of the HOA; and
d. authorizing but not requiring, in the event of an HOA default and after notice, the City to assume control of the reserve fund, impose and collect assessments on the HOA 's behalf, and foreclose delinquent assessments.
i) HOA documents shall be submitted for review & approval by city staff prior to filing documents with the county.
j) HOA shall submit contact information to the Public Works Department and City Secretary each January and every time contact information changes for HOA Officers, Management Company, and subcontractors.
k) Cluster mailboxes with upgraded enclosures, as provided in Exhibit "B" must be placed.
l) Decorative street name and address plates/stonework shall be installed on the front and back of each residential home.
m) High Performance architectural shingles engineered to resist wind speeds up to 130 mph must be installed on all buildings. All roof rafters shall be secured with hurricane clips.
n) All building exteriors and roofs must be maintained by the homeowners' association.
o) All roof-mounted HVAC equipment must be screened.
p) Boarding and lodging homes are prohibited.
q) The Owner must include an engineering study for adequacy of utilities, access roads, drainage, and other necessary supporting facilities at the time the engineering design plans are submitted, subject to City's approval.
r) Homebuilder or developer shall have the option to install a 4' wrought iron (black) fence surrounding the subdivision development.
s) Signage shall be placed stating "NO PARKING" along Starnes Road.
t) Signage shall be placed at the guest parking areas stating, "Visitor and Delivery Parking Only".
u) Sidewalk crossings at the driveways off Starnes Road and at the four private roads on the west side shall be delineated by full-depth, stained concrete with a brick pattern as approved by the Director of Public Works .

CORWIN JOB NO. 23041

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CW-SMITH LAKE, LLC., acting herein by and through its duly authorized officers, does hereby certify and adopt this preliminary plat designating the herein above described property as THE POINTE AT CAPP SMITH LAKE, an addition to the City of Watauga. The streets and alleys shown on this plat as access easements are for the use and benefit of the owners of the property in this subdivision, their leasees, invitees and licensees. By acceptance of a deed conveying title to any lot in this subdivision, the owner thereof shall be deemed to have agreed and acknowledged and does certify the following:

1. The alleys are private alleys and are dedicated to the City of Watauga as Access, Utility, and Drainage Easements. The City has no responsibility or liability to make any repairs to such streets and alleys as long as they are private alleys.

2. So long as such alleys are private, the sole responsibility for maintenance and replacement thereof shall be borne by the owners of the lots in this subdivision and/or any homeowners' association hereafter established for the owners of lots in this subdivision (the "Association"). Such maintenance and replacement shall be in conformance with the requirements, standards, and specifications of the City of Watauga, as presently in effect or as same may be hereafter amended. This provision may be enforced by specific performance or by any other remedy allowed by law.

3. Neither the property owners within this subdivision nor the Association nor any other association or other organization or entity representing them shall have the right to request dedication (whether by voluntary or involuntary act or omission) of such private streets and alleys to the City unless and until the City has inspected such streets and alleys and determined that, at the time in question, they meet the City's standards. If the City desires to accept a dedication of said streets and alleys, the Association, its successors or assigns, or the owners of the lots in the subdivision will make, at the owners' or the Association's expense, all repairs required by the City to comply with then City standards. The City shall have sole discretion to accept or reject a proposed dedication of the private streets and alleys to the City. Before dedication, all public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.

4. The easements and public use areas, as shown, are dedicated for the benefit of the owners of the property in this subdivision, their leasees, invitees and licensees use forever, for the purposes indicated on this plat.

5. The provisions hereof shall be binding upon and enforceable against all property owners in this subdivision, their successors and assigns and the Association and its successors and assigns. The provisions hereof may be enforced by the City, any property owner in the subdivision, and/or the Association.

6. These covenants and restrictions shall run with the land and be binding on the owners of the property in this subdivision, their successors and assigns, the Association, its successors and assigns and all parties claiming by, through and under them. In the event a replat is requested on all or part of this property, the City may require any similar or additional restrictions and covenants in it's sole discretion. These covenants and restrictions shall terminate when all the access easements shown on this plat are included within a replat of all or part of this property and are dedicated to the City as public alleys. In addition, all modifications to this document shall be by means of plat and approved by the City of Watauga.

7. If the owners of the property in this subdivision should open the private alleys to the public, such use shall be considered a temporary license only. The owners of property in this subdivision through the Association reserve the right to close the street to the public at any time prior to formal dedication of the street to the public, and acceptance of the same by the City.

8. The owners of property in this subdivision and the Association shall allow access to the subdivision and the streets in the subdivision to all City employees and contractors acting on behalf of the City and all governmental service vehicles, including, without limitation, law enforcement, fire, ambulance, sanitation, inspection and health vehicles. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the City's use thereof. The City of Watauga and public utilities shall, at all times, have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of procuring permission from anyone.

9. The owners of property within this subdivision hereby agree and recognize that the entire subdivision is benefited by the City allowing the owners to maintain and control access to the private streets shown hereon, and that the City is benefited by having the value of the property enhanced for ad valorem tax purposes and not being under any maintenance obligations with respect to the private streets and alleys. For purposes of enforcement of these covenants, the benefits shall constitute sufficient and valid consideration.

10. The owner of each lot affected by a drainage easement across the rear portion of such lot may not construct any improvements within such lot except those improvements which (a) do not impeded the natural flow of water across the property affected by such drainage easement (such as swimming pools and open fences) and (b) are built in accordance with and pursuant to a building permit issued by the City. In no event shall CW-SMITH LAKE, LLC., the City, the Association or any of their successors or assigns have any liability for any improvements built in any drainage or utility easement. Each lot owner shall build in such area at his or her own risk and shall indemnify CW-SMITH LAKE, LLC., the City, the Association and their successors and assigns against any and all losses, damages and liability arising out of or associated with the construction of improvements on such owner's lot in any drainage or utility easement.

11. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City. Landscaping may be placed in/or near other easements with city approval. The City and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Watauga is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.

12. Invalidation of any word, phrase, sentence, paragraph, covenant or restriction by court judgment or otherwise, shall not affect the validity of the other covenants or restrictions contained herein.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Watauga, Texas.

WITNESS, my hand, this the_____day of_____,2025.

CW-SMITH LAKE, LLC.

BY:_____
Name: John Cork
Title: _____

STATE OF TEXAS
COUNTY OF

Before me, the undersigned authority, a Notary public in and for the State of Texas, on this day personally appeared JOHN CORK, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my and seal of office, this_____day of _____, 2025.

_____
Notary Public in and for the State of Texas

My Commission Expires On: _____

CITY COUNCIL
CITY OF WATAUGA

PLAT APPROVED DATE:_____

BY:_____
MAYOR

BY:_____
CITY SECRETARY

PLANNING & ZONING COMMISSION
CITY OF WATAUGA

PLAT APPROVED DATE:_____

BY:_____
CHAIRMAN

BY:_____
SECRETARY

FINAL PLAT
OF

THE POINTE AT CAPP SMITH LAKE PHASE I

LOTS 1-86 & 96-125 BLOCK A
LOTS 1-6 BLOCK B
LOTS 1-8 BLOCK C
123 TOTAL LOTS
7 OPEN SPACE LOTS
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OUT OF THE
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IN THE
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TARRANT COUNTY, TEXAS

OWNER
CW-SMITH LAKE, LLC.
1800 VALLEY VIEW LANE, STE. 100
FARMERS BRANCH, TEXAS 75234
817-822-1132

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

MARCH 2025

PRELIMINARY REPORT

DATE: March 30, 2025

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **P.25-01:** Consideration of a request from Ashton Woods for a final plat out of the Phillip Green Survey, Abstract No. 566, being 11.703 acres. This development known as the Pointe at Capp Smith Lake Phase I includes 123 single-family residential townhome lots and seven open space lots.

BACKGROUND/INFORMATION:

Applicant, Ashton Woods/Ashton Dallas Residential LLC has applied for approval of a final plat of The Pointe at Capp Smith Lake Addition. The 11.703 acre site is located east of Denton Highway, west of Parkview Drive, north of Hightower Drive and south of Starnes Road.

The property is zoned as Planned Development (PD). The zoning was approved by the City Council on May 8th, 2023 (Ordinance No. 2023-007). The lot sizes on the plat range from 1650 square feet to 2204 square feet, with an average size of 1851 square feet. The typical residential lot is 22 feet wide and 75 feet deep, with a maximum density of 12 dwelling units per acre.

The phasing of this final plat, which includes 123 townhomes and 7 open space lots, and identifies the stages of development which can begin while the developer awaits results from FEMA officially granting a Letter of Map Revision (LOMR). The 9 lots that are included in the LOMR will be on the subsequent plat when the LOMR is complete.

The final development is to consist of 132 townhomes and incorporates 3.844 acres of open space in 7 lots. Approximately 2.122 acres of open space/drainage easement area surrounds the eastern portion of the property from Starnes Road adjacent to Capp Smith Park. Six additional common area lots are to be provided within the subdivision, including a 0.121-acre lot in Lot 10 Block A, a 0.226-acre lot in Lot 20 Block A, a 0.244-acre lot in Lot 38 Block A, a 0.548-acre lot in Lot 47 Block A, a 0.282-acre lot in Lot 6 Block B and a 0.301-acre lot in Lot 8 Block C. Primary street access to the development is from Starnes Road, with four additional street connections on the west side of the property to a shared access point. This secondary connection is beneficial in part to increase emergency access and reduce response times to the neighborhood, and to avoid total reliance on Starnes Road for ingress/egress to the subdivision.

This area is designated on the Comprehensive Land Use Plan as Retail Transitional Mixed Use. The category is intended for a mixture of non-residential and residential land uses. They are referred to as RTMU because it is envisioned that these areas would be integrated developments of retail, public, office and entertainment, with a residential component. RTMU areas are intended to provide flexibility for the city and the development community for innovative, unique, and sustainable development to

occur.

Surrounding zoning and land use includes:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	GB-General Business	Regional Retail/Commercial	Retail/Service/Restaurant
SOUTH	CF-Community Facility	Public/Semi-Public	Charter School/Church
EAST	GU-Government Use	Parks & Open Space	Park
WEST	GB-General Business/C-Commercial	RTMU-Retail Transitional/Mixed Use	Townhome Development Restaurant/Services

CURRENT ACTIVITY:

An official platting application was submitted to Development Services. Staff confirmed requirements for the plat are met, such as boundary lines, dedication of easements, receipt that taxes have been paid, and proper certifications by a registered professional land surveyor. Construction plans for all utilities such as water distribution system, sewage, paving and storm drainage, were submitted upon approval of the preliminary plat.

The City Secretary's Office gave notice of the application request to be published in the official newspaper of the city on March 31, 2025, giving notice of the meeting dates, time, and place at which the Planning and Zoning Commission and City Council will each meet to hear comments during a public hearing and then consider the final plat for approval. Additionally, required notices were mailed to all property owners of property located within 200 ft. of the site upon which the plat is requested.

Once the public hearing is conducted before the commission, a final report shall be prepared and considered for action by the City Council during the regular meeting scheduled for May 12, 2025.

RECOMMENDATION/ACTION DESIRED:

Texas Local Government Code 212.005 requires the municipal authority responsible for approving plats must approve a plat that satisfies all applicable regulations and prior to the issuance of building permits.

PRELIMINARY REPORT

City staff respectfully recommend approval of this final plat request.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

Plat exhibit

Sec. 113-7. Final plat.

(a) *Provisions.* The following provisions shall apply to the final plat:

(1) A final or record plat shall be submitted to the planning and zoning commission after required changes or alterations in the preliminary plat have been made. If all required changes or alterations have been made the planning and zoning commission shall approve the final or record plat and submit the final or record plat to the city council for approval.

(2) If the planning and zoning commission, after reviewing the final plat, determines that any or all required changes or alterations have not been made, the planning and zoning commission shall refuse to approve the final or record plat. If the planning and zoning commission refuses to approve the final or record plat, a reapplication fee shall be charged in an amount equal to the fee originally assessed the applicant for any subsequent application or reconsideration of the plat. The fee shall be for processing and plat filing of a final plat.

(3) Upon approval, 20 copies of this final plat shall be filed in the office of the city secretary not less than 15 days prior to the next regular meeting of the city council. No record plat will be considered unless a preliminary plat (if required) has first been submitted. All record plats shall be drawn upon sheets 24 inches by 36 inches maximum size sheets and to a scale of one inch equals 100 feet and where more than one sheet is required, an index sheet 24 inches by 36 inches shall be filed showing the entire subdivision on the one sheet.

(4) The final plat shall show or be accompanied by the following information:

a. The subdivision name or identifying title and the name of the city, county and state in which located; the name and address of the record owner or subdivider.

b. The name or names of adjacent subdivisions; names of streets and the numbers of lots and blocks. Names of new streets should, whenever possible, follow or be an extension of existing street names.

c. An accurate boundary survey of the property which is being subdivided, noting the bearings and distances of the sides, same being referenced to original survey lines or established subdivisions, showing the lines of all adjacent lands and properties; lines of adjacent streets, alleys and easements, noting width and names of each. Streets, alleys and easements of adjacent subdivisions shall be shown in a different manner than those of the proposed subdivision, preferably dotted or dashed.

d. The final plat shall indicate the locations of all lots, streets, highways, alleys, easements, parks, playgrounds and such other features, with accurate dimensions given in feet and decimals of a foot, showing the length of radii, deflection angles, and of arcs of all curves; tangent distances and tangent bearings shall be given for each street, all such data being complete and sufficiently precise to permit accurate location upon the ground.

e. Construction plans for all utilities such as:

1. Proposed water distribution system, including fire plugs and valves.

2. Proposed sewage collection system.

3. Plan and profile of proposed streets and sidewalks, including streetlight location.

4. Plan and profile of on-site and off-site proposed drainage facilities.

f. The building lines of front and side streets shall be shown in dotted or dashed lines, and the location of utility easements shall be shown in dashed lines.

g. The final plat shall bear a properly executed dedication of all streets, highways, alleys, easements, parks, playgrounds and other lands intended for use by the public, such dedicatory instrument to be signed by the owner or owners, and by all other persons or parties having a mortgage or lien interest in the property. Any private restrictions or any trusteeships intended shall be filed with the plat if same are too lengthy as to permit lettering of same upon the plat.

h. A receipt indicating that all taxes have been paid shall accompany the plat or a certification that all taxes have been paid shall be noted on the plat.

i. Date, scale and north point.

j. Proper certification shall be made upon the plat by a reputable, registered civil engineer or land surveyor, ascertaining that the plan represents a survey made by him and that all necessary monuments are accurately and correctly shown upon the plat.

(5) The engineer shall place such monuments as required by the city and they shall be set at all corners and angle points of the boundaries of the original tract to be subdivided and at all street intersections, angle points in street lines and points of curve and at such intermediate points in street lines as shall be required by the city.

(6) All lot corners are to be marked with iron pipe markers driven firmly into solid earth. Such monuments shall be of iron pipe not less than one-half inch in diameter and 18 inches in length, driven into solid earth with the grades of same being at a grade with established sidewalk or, if walk is not established, flush with the natural grade of the earth's surface.

(7) Following approval of the final plat by the city council of the city, the city secretary shall have 90 days in which to record with the county clerk, four signed copies of said plat which shall then be recorded in the records of the city. A subdivider shall bear all cost and expense of recordation of the signed copies of said plat.

(b) *Written agreement.* No final plat shall be approved unless the owner and/or developer agrees, in writing, to the following:

(1) The developer agrees to construct at his own expense, street and drainage improvements in the subdivision in accordance with the record plat duly approved by the city, including perimeter streets as specified in section 113-4(b)(5).

(2) The developer agrees to file with, and secure the approval of the city, complete construction plans for:

a. Water distribution system, including fire plugs and valves.

b. Sewage collection system.

c. Plan and profile of streets and sidewalks, including streetlight location.

d. Plan and profile of on-site and off-site drainage facilities.

(3) The developer agrees to pay the city an inspection and processing fee in the amount as set forth in the fee schedule found in chapter 12.

(4) The developer agrees that there will be no expense incurred on the part of the city in connection with laboratory tests required to be made on street and drainage construction by the director of public works.

(5) The developer agrees to have all construction of streets and drainage, except rough excavation in any given area of the subdivision done under a single general contract with full responsibility for all phases of the work resting upon the one contractor; which contractor shall post a maintenance bond equal in amount to 100 percent of the cost of the work, covering the work for a period of two years from the

date of completion as shown on the certificate of acceptance provided by the city. Such bond shall be executed on a standard form approved by the city.

(6) The developer agrees to observe the following procedure and requirements in obtaining streetlights:

a. Write a letter to the city secretary giving the number and locations of streetlights to be installed.

b. Submit payment to the city an amount equal to two years electric bill for each streetlight to be installed.

(7) The developer agrees to pay for and install all street signs at each intersection within the subdivision or as noted by the direction of the director of public works.

(Code 2001, § 10.107; Code 2010, § 10.02.007)