



**Planning and Zoning Commission  
Regular Meeting  
212 Main Street  
City of Lake Dallas, Texas 75065  
Thursday, October 17, 2024, at 6:00 p.m.  
Agenda**

**1. Call to Order and Determination of Quorum**

**2. Pledges of Allegiance**

**3. Citizen Agenda & Public Comment**

An opportunity for citizens to address the Planning & Zoning Commission on matters which are not scheduled for consideration by the Planning & Zoning Commission. Speakers will be limited to five (5) minutes each. The Texas Open Meeting Act prohibits deliberation by the Planning & Zoning Commission of any subject which is not on the posted agenda, therefore the Planning & Zoning Commission will not be able to discuss or take any action on items brought up during the citizen presentations that are not on the agenda.

**4. Approval of the minutes of September 19, 2024.**

5. Conduct a public hearing and provide recommendation for a Planned Development, on property currently zoned District C-3 in the I35 Business Corridor, to allow for the construction of a hardware building, parking lot, and garden center of the Susan O. McCarroll Survey, more commonly known as 101, 103, 105, 107, S Lake Dallas Dr and 1000, 1002, and 1004 S Stemmons Fwy Lake Dallas, TX 75065, Lake Dallas, Denton County. Texas.

**6. Announcements and requests for future agenda items.**

**7. Adjourn.**

I certify that the above notice of this meeting was posted on the bulletin board at City Hall of the City of Lake Dallas, Texas on or before October 14, 2024, at 5:00 p.m.

*Codi Delcambre*

Codi Delcambre, City Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at this meeting, please contact City Secretary's Office at (940) 497-2226 ext. 102 or fax (940) 497-4485 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

**State of Texas  
County of Denton  
City of Lake Dallas**

The Lake Dallas City Planning & Zoning Commission met in a regular meeting on September 19, 2024, in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Chairperson Melody Parlett called the meeting to order at 6:04 p.m.

**1. Roll Call**

Melody Parlett  
Layne Cline  
Cheryl McClain

Chairperson Member Place 1  
Vice-Chairperson Member Place 2  
Member Place 3

**Absent**

Sam Park

Member Place 4

**Staff Present:** Marilyn Rojas Development Services Assistant, Codi Delcambre City Secretary.

**2. Pledges of Allegiance**

Melody Parlett led the Pledge of Allegiance.

**3. Citizen Agenda & Public Comments**

Melody Parlett opened the Visitors/Citizens Agenda at 6:05 pm.

No one spoke

Melody Parlett closed the Visitors/Citizens Agenda at 6:05 pm.

**4. Conduct a public hearing and provide recommendations for Planned Development and a Site Plan, on property currently zoned District C-3 to allow for an expansion of an existing building, expansion of an existing parking lot, and new elevations on Track 17, of the Wright Survey, more commonly known as 215 Gotcher Ave., Lake Dallas, Denton, Texas.**

Randi Rivera, City Planner and Codi Delcambre, City Secretary spoke of the property's existing restaurant named Walter's Tavern, and a single-family residence. The restaurant recently expanded its footprint to include a covered entrance on the north side and the necessity of internal and external remodeling after the restaurant's previous fire in April 2023. The owner endured expansion before obtaining a permit, staff worked with the applicant to now request a Planned Development zoning to provide updated standards for the site to include an extended parking area, landscaping, and commercial elevations and to allow for both uses – the restaurant and the residence.

Chris Walter, the applicant, spoke in regard to the site plan for the property including the expanded building for the restaurant, landscaping, and commercial elevations.

Cynthia Elliott, 707 Payton spoke in favor of the request.  
Deb Churchill, 213 Gotcher Ave spoke in favor of the request.  
Michael Rohe, 107 Red Bluff Dr spoke in favor of the request.  
Terry Lantrip, 109 Market St spoke in favor of the request.

**Motion Layne Cline motioned to approve to recommend requesting strike gravel to replace with asphalt or cement for Planned Development and Site Plan on the property currently zoned District C-3 to allow expansion. Seconded by Cheryl McClain Member Place 3**

Ayes: Layne Cline, Melody Parlett, Cheryl McClain  
Noes: None

**Motion Passed 3:0**

**5. Announcements and requests for future agenda items.**

Additional projects for planning and zoning were received, to review and include in the October's agenda meeting

**6. Adjournment**

Melody Parlett adjourned the meeting at 6:48 pm.

Approved:

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Melody Parlett, Chairperson

Attest:

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Marilyn Rojas, Development Services Assistant



**P&Z COMMISSION  
AGENDA MEMO**

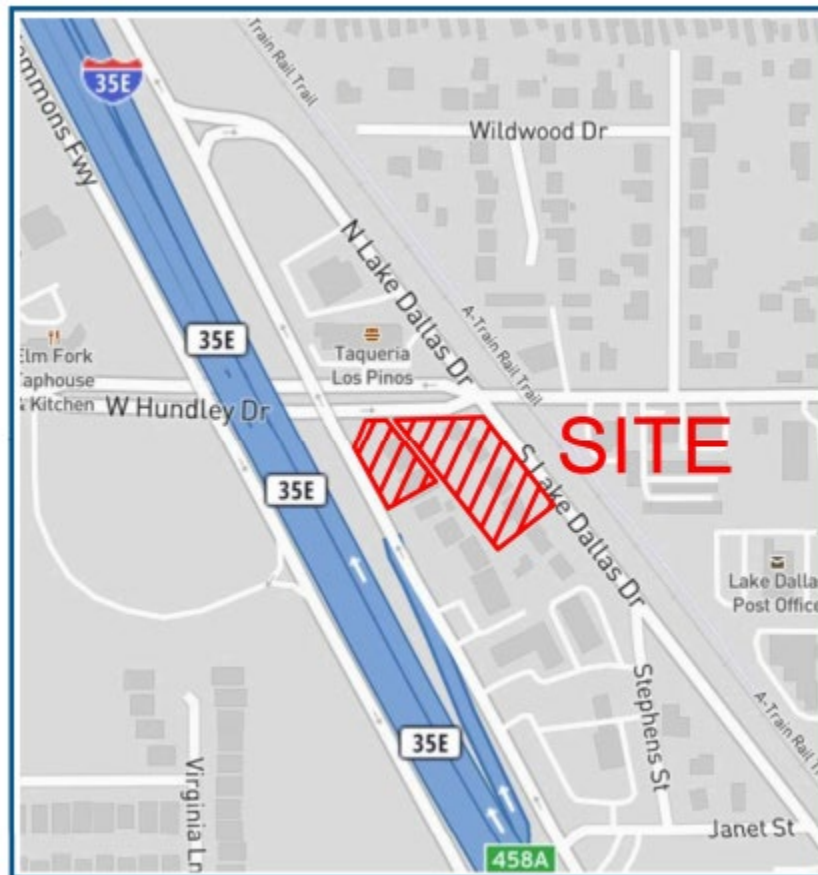
**Prepared By: Patricia Fant, AICP, City Planning Consultant**

**October 17, 2024**

Conduct a public hearing and provide recommendation for a Planned Development, on property currently zoned District C-3 in the I35 Business Corridor, to allow for the construction of a hardware building, parking lot, and garden center of the Susan O. McCarroll Survey, more commonly known as 101, 103, 105, 107, S Lake Dallas Dr and 1000, 1002, and 1004 S Stemmons Fwy Lake Dallas, TX 75065, Lake Dallas, Denton County. Texas.

**DESCRIPTION:**

Planning and Zoning Commission shall consider the request for Planned Development for the property at 101, 103, 105, 107, S Lake Dallas Dr and 1000, 1002, and 1004 S Stemmons Fwy Lake Dallas, TX 75065 (located on a portion of Lots 1-4, Block A of Barmarchar Site and a portion of Lot 1 and all of Lots 2-4, Block B of Barmarchar sites) to allow the for the construction of a hardware store, parking lot, and garden center.



**BACKGROUND INFORMATION:**

The property at 101, 103, 105, 107, S Lake Dallas Dr and 1000, 1002, and 1004 S Stemmons Fwy Lake Dallas, TX 75065 consists of vacant land. The applicant is proposing a 14,000 SF Anchor retail (hardware) with a one-way entrance off W Hundley Drive and a two-way ingress/egress from Lake Dallas Drive. The applicant is proposing a 9,950 SF Garden Center to the west of the building along Stemmons Fwy.

The property is currently zoned as C-3 District with the I35 Business Corridor District which allows for the proposed use. Due to the proposed building and garden center, the site is now required to conform to the current zoning regulations for the property. However, the proposed site is unable to meet several of these updated regulations. Therefore, a Planned Development is required. As a result, a list of development standards have been included in the memo.

The site currently has an existing pole sign to remain as on-site. This will be subject to approval of a sign permit.

The applicant is proposing to gate the easement that runs behind the proposed building, where utility poles remain. The gate and fence will be contingent upon approval by the utility entities responsible for the easement.

With a Planned Development, the property must be in conformance with the Lake Dallas' Code of Ordinance. Below is a list of variances within the Planned Development.

**DEVELOPMENT STANDARDS:**

**1. Parking**

<b>Requirement</b>	<b>PD Standard</b>	<b>Reason</b>
<b>Section 122-764:</b> A minimum of one off-street parking space shall be provided on the premises for each 200 square feet of floor space.	The number of required parking spaces on the Property shall be no less than sixty-one (61), as shown on the Site Plan.	Due to the limited amount of space available and the developers historical experience with these stores parking needs, it is requested that a 20% reduction in parking be allowed.

## 2. Landscaping

Requirement	PD Standard	Reason
<p><b>Section 122-1228:</b> Minimum requirements for off-street parking and vehicular use areas.</p> <p>(2) - All parking lots and vehicular use areas shall be screened from all abutting properties and/or public rights-of-way with a wall, fence, hedge, berm or other durable landscape barrier.</p> <p>Any living barrier shall be established in a planting strip with a minimum width of two feet. Plants and materials used in living barriers shall be at least 30 inches high at the time of planting and shall be of a type and species that will attain a minimum height of three feet one year after planting.</p>	<p>For off-street parking and vehicular use areas abutting adjacent property lines and public rights-of way, a wall, fence, hedge, berm, or other durable landscape barrier is not required. However, a solid wood fence on top of a retaining wall, with a minimum height of six feet (6') shall be required on the southeast property line as shown on the Site Plan.</p>	<p>Due to the limited amount of horizontal space available for a development of this size, screening along all abutting properties and public right-of-ways could not be provided. It is requested that the width of screening barriers is reduced / eliminated at abutting property lines and rights-of-way. A retaining wall located on the east side of the development, enhanced landscaping in the public right-of-way along frontages, and decorative permeable fencing and plants that make up the south/southwest face of the garden center will provide a comparable screening and buffering effect.</p>
<p>(2.a) - Whenever an off-street parking or vehicular use area abuts a public right-of-way, a perimeter landscape area at least 15 feet in depth shall be maintained between the abutting right-of-way and the off-street parking or vehicular use area.</p>	<p>For off-street parking and vehicular use areas abutting adjacent property lines and public rights-of-way, a minimum perimeter landscape buffer area is not required.</p>	<p>Due to the limited amount of horizontal space available for a development of this size, a landscape area with a measurement of 15' in depth was not provided. It is requested that the landscape buffer width be reduced / eliminated at the rights-of-way. 15' of landscape area will be present when taking into account and utilizing the right-of-way area for planting. Additionally, large, planted parking islands will be provided near the development's front entrance, providing a comparable screening and buffering effect.</p>

<p>(2.b) - Whenever an off-street parking or vehicular use area abuts an adjacent property line, a perimeter landscape area at least ten feet in width shall be maintained between the edge of the parking area and the adjacent property line.</p>	<p>For off-street parking and vehicular use areas abutting adjacent property lines and public rights-of-way, a minimum perimeter landscape buffer area is not required.</p>	<p>Due to the limited amount of horizontal space available for a development of this size, a perimeter landscape area with a measurement of at least 10' in width was not provided. It is requested that the perimeter landscaping width be reduced / eliminated. At the property line, a retaining wall will be located on the east side of the development, and the south/southwest face of the garden center will provide decorative permeable fencing and plants, which will create a comparable screening and buffering effect.</p>
<p><b>Section 122-1229:</b> Landscaping requirement for nonvehicular open space. (3.b) - In all nonresidential zoning districts, a minimum of 15 percent of the total site area shall be devoted to feature landscaping, with not less than 50 percent of the landscaping being located in the required front yard.</p>	<p>A minimum of 10 percent of the total site area of the Property shall be devoted to featured landscaping.</p>	<p>Due to the limited amount of horizontal space available for a development of this size, the minimum of 15% of the total site area devoted to featured landscaping was not met. As a result, only 10% was provided. It is requested that the required open space landscape area be reduced. Landscape area will be provided by the developer in TXDOT and city R.O.W. to help supplement the overall landscape area provided. With the square footage of the public R.O.W. included, the total site area that is devoted to landscaping will increase to 28%.</p>

### 3. Site Standards

Requirement	PD Standard	Reason
<p><b>Section 122-408:</b> (a) The minimum rear yard setback shall be 25 feet.</p> <p>(b) There shall be no parking or storage of motor vehicles, boats or trailers within ten feet of the property line. Fire lanes and driveways may cross rear yard setbacks as a means of vehicular access.</p>	<p>Parking spaces are permitted within the front and side yard setback.</p>	<p>The current rear yard setbacks are 0' located along existing abutting properties. Due to the limited amount of horizontal space available for a development of this size, we are unable to meet the minimum rear yard setback of 25'. It is requested that the setback distance be reduced to 0' at the property rear yards. The alley right-of-way provides a 15' buffer from adjacent abutting properties and the south/southwest face of the garden center will provide decorative permeable fencing and plants. Additionally, all abutting properties along the rear yard setback is currently zoned for non-residential uses which is compatible with the proposed development.</p>
<p><b>Section 122-670:</b> (a) Exterior surfaces of structures in the IH-35E Business Corridor District shall consist of masonry materials covering no less than 100 percent of total exterior surfaces exclusive of windows, doors and gables.</p>	<p>The building(s) constructed on the Property shall be designed and constructed substantially in accordance with the building elevations attached hereto as Exhibit "D" and incorporated herein by reference (the "Elevations Plan").</p>	<p>It is requested to reduce the requirement of masonry surface coverage to 20% for elevations facing roadways and to 0% for elevations abutting non-residential use properties. (Also, refer to State of Texas HB2439 – eliminating the regulation of building materials).</p>

### 4. Setbacks

Requirement	Proposed	Base Zoning C-3
Minimum Front Yard Setback	25 feet	25 feet
Minimum Side Yard Setback	10 feet	10 feet
Minimum Rear Yard Setback	0 feet	25 feet

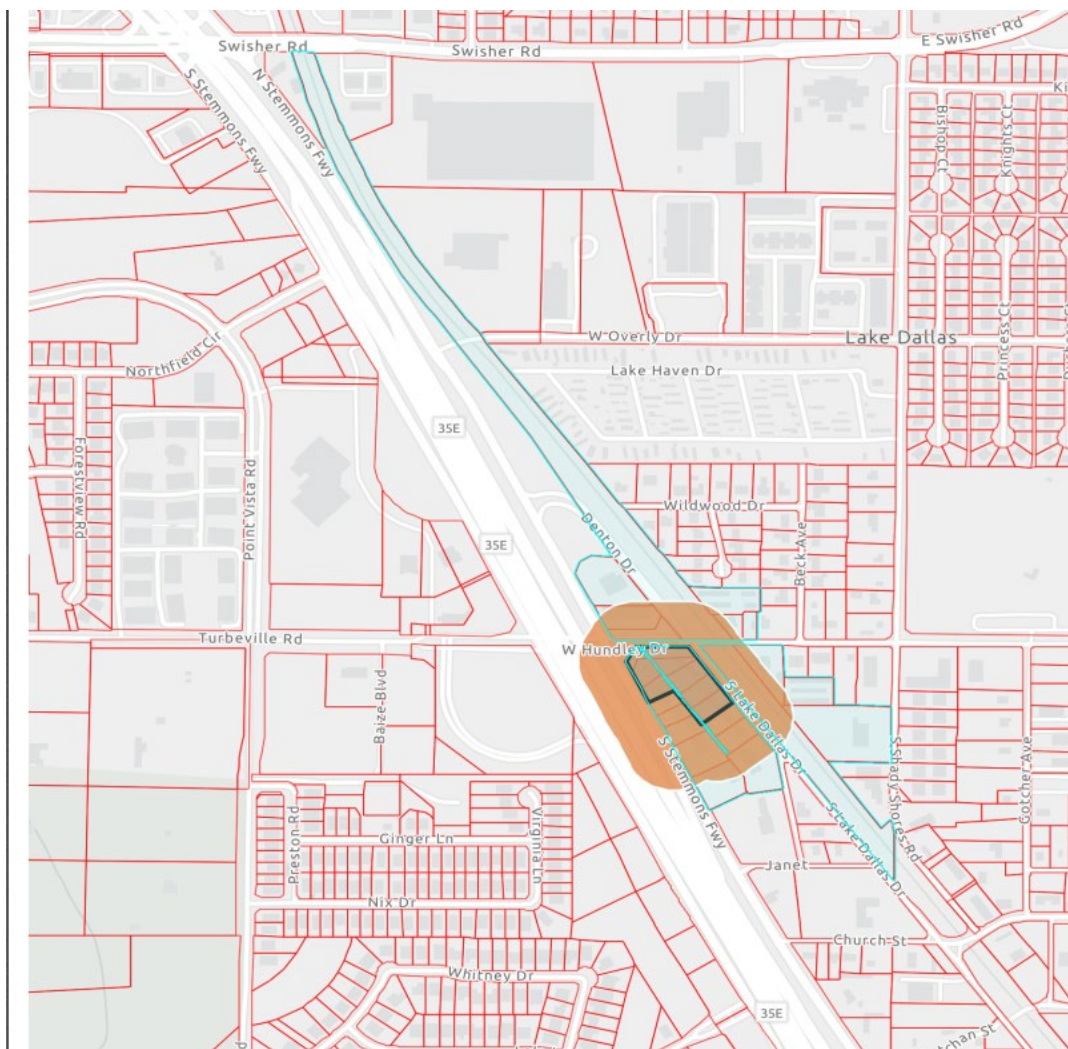
**ADJACENT ZONING AND LAND USE:**

DIRECTION	ZONING	EXISTING USE
<b>Subject Property</b>	<b>C-3</b>	<b>Retail/Restaurant</b>
North	C-3	Convenience Store
South	C-3	Single Family Residence/Empty Retail
West	C-3	Stemmons FWY
East	C-3	Railroad

**FEEDBACK:**

Correspondence:

The City Code requires notification of the property owners within 200 feet of the subject property. For this application, 26 Property Owner Notifications were mailed at least 11 days prior to the public hearing. The following map shows properties within 200’ of the subject site.



**RECOMMENDED MOTIONS:**

**Following the public hearing, the City P&Z Commission can:**

**RECOMMEND TO APPROVE/DENY** the rezoning of the Planned Development request as stated above.

OR

**RECOMMEND TO APPROVE/DENY** the Planned Development with modifications or additions to the listed variances. (Said modifications or additions would need to be listed in the motion.)

**ATTACHMENTS:**

Draft Ordinance

Site Plan

Landscape Plan

Elevations

**CITY OF LAKE DALLAS, TEXAS  
ORDINANCE NO. 2024-\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LAKE DALLAS, TEXAS, AS HERETOFORE AMENDED, BY CHANGING THE ZONING REGULATIONS GOVERNING THE DEVELOPMENT AND USE OF 1.506± ACRES OUT OF THE SUSAN O. MCCARROL SURVEY, ABSTRACT NO. 958, LAKE DALLAS, DENTON COUNTY AS DESCRIBED IN EXHIBIT “A” HERETO FROM C-3 COMMERCIAL DISTRICT TO PLANNED DEVELOPMENT (PD) FOR C-3 COMMERCIAL DISTRICT; ADOPTING DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission of the City of Lake Dallas and the governing body of the City of Lake Dallas, in compliance with the laws of the State of Texas and the ordinances of the City of Lake Dallas, have given requisite notice by publication and otherwise, and after holding due public hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended; and

WHEREAS, having received the recommendation of the Planning and Zoning Commission and the report presented by the City Administration, the City Council of the City of Lake Dallas, Texas, finds that exceptional circumstances affecting the Property exists such that establishment of a planned development district regulating the development of the Property is justified.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:**

**SECTION 1. CHANGE OF ZONING CLASSIFICATION**

The Comprehensive Zoning Ordinance and Map of the City of Lake Dallas, Texas (collectively, the Zoning Ordinance”), heretofore duly passed by the governing body of the City of Lake Dallas, as previously amended, be, and the same are hereby amended by amending the regulations governing the use and development of 1.506± acres out of the Susan O. McCarrol Survey, Abstract No.958, City of Lake Dallas, Denton County, Texas (“the Property”) being more specifically described in Exhibit “A”, attached hereto and incorporated herein by reference, from “C-3” Commercial District to “PD” Planned Development for C-3 Commercial District subject to Section 2 of this Ordinance.

## SECTION 2. LAND USE AND DEVELOPMENT STANDARDS

The Property shall be developed and used in accordance with the provisions of the Zoning Ordinance, as amended, subject to the following modifications:

- A. **Base Zoning.** Subject to the modifications or additions set forth in this Section 2 the Property shall be developed and used in accordance with the provisions of the Zoning Ordinance applicable to property located within the C-3 Commercial District and the IH-35E Business Corridor District, except as modified by this ordinance.
- B. **Site Plan.** The Property shall be used and developed substantially in accordance with the site plan attached hereto as Exhibit “B” and incorporated herein by reference (the “Site Plan”). The City Manager may authorize minor changes to the Site Plan as provided in Section 122-636 of the Zoning Ordinance.
- C. **Development Standards.** The Property shall comply with the following development standards:

Minimum Front Yard Setback	25 feet
Minimum Side Yard Setback	10 feet
Minimum Rear Yard Setback	0 feet

- E. **Landscaping & Screening.** The Property shall be developed substantially in accordance with the Landscape Plan, attached hereto as Exhibit “C” and incorporated herein by reference (the “Landscape Plan”), and the following:
- (1) For off-street parking and vehicular use areas abutting adjacent property lines and public rights-of way, a wall, fence, hedge, berm, or other durable landscape barrier is not required. However, a solid wood fence on top of a retaining wall, with a minimum height of six feet (6’) shall be required on the southeast property line as shown on the Site Plan.
  - (2) For off-street parking and vehicular use areas abutting adjacent property lines and public rights-of-way, a minimum perimeter landscape buffer area is not required.
  - (3) A minimum of 10 percent of the total site area of the Property shall be devoted to featured landscaping.
- F. **Parking.** The following parking standard shall apply to the Property:
- (1) The number of required parking spaces on the Property shall be no less than sixty-one (61), as shown on the Site Plan.
  - (2) Parking spaces are be permitted within the front and side yard setback.

**G. Architectural Design.** The building(s) constructed on the Property shall be designed and constructed substantially in accordance with the building elevations attached hereto as Exhibit “D” and incorporated herein by reference (the “Elevations Plan”).

**SECTION 3.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Lake Dallas and the provisions of this ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

**SECTION 4.** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 5.** An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Comprehensive Zoning Ordinance, as amended in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 6.** 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 City of Lake Dallas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provides.

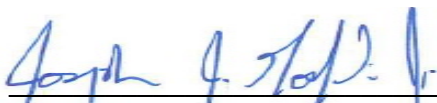
**PASSED AND APPROVED this \_\_\_th day of October 2024.**

\_\_\_\_\_  
**Andi Nolan, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Codi Delcambre, City Secretary**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**Joseph J. Gorfida, Jr., City Attorney**

**ORDINANCE NO. 2024-\_\_\_\_\_**  
**EXHIBIT "A" -PROPERTY DESCRIPTION**

**ZONING EXHIBIT**

Susan O. McCarroll Survey, Abstract No. 958  
 City of Lake Dallas, Denton County, Texas

**LEGAL DESCRIPTION**

Being a 1.506 acre tract of land out of the Susan O. McCarroll Survey, Abstract No. 958, situated in the City of Lake Dallas, Denton County, Texas, being a portion of Lots 1-4, Block A and Lots 1-4, Block B of Barmarchar Sites, a subdivision of record in Volume 418, Page 126 of the Deed Records of Denton County, Texas, also being a portion of a 15 foot wide alley of record in said Barmarchar Sites of record in Volume 418, Page 126 and being more particularly described by metes and bounds as follows:

**BEGINNING**, at a TXDOT concrete monument with brass disc found at the South end of a cutback line at the intersection of the East right-of-way line of Interstate Highway 35E (right-of-way varies) and the South right-of-way line of Hundley Road (right-of-way varies), being in the East line of a called Tract I - 1.128 acre tract of land conveyed to the State of Texas by deed of record in Volume 400, Page 363 of said Deed Records, also being the Southwest corner of a called Parcel 45 - 0.0952 acre tract of land conveyed to the State of Texas by deed of record in Document Number 2014-127585 of the Official Records of Denton County, Texas;

**THENCE**, N22°26'54"E, along the South right-of-way line of Hundley Road, being the South line of said Parcel 45, a distance of 64.11 feet to a TXDOT concrete monument with brass disc found at the North end of said cutback line;

**THENCE**, N88°18'36"E, continuing along the South right-of-way line of Hundley Drive, being in part, the South line of said Parcel 45, in part, the North line of said 15 foot wide alley, and in part, the South line of a called Parcel 46 - 0.2284 acre tract of land conveyed to the State of Texas by deed of record in Document Number 2014-117732 of said Official Records, a distance of 248.29 feet to a TXDOT concrete monument with brass disc found at the intersection of the South right-of-way line of said Hundley Road and the West right-of-way line of Lake Dallas Drive (60' right-of-way), being the Southeast corner of said Parcel 46, also being the common East corner of said Lots 1 and 2, Block B;

**THENCE**, S38°08'46"E, along the West right-of-way line of Lake Dallas Drive, being the common East lines of said Lots 2-4 of Block B, a distance of 240.00 feet to a 1/2 inch iron rod found at the Northeast corner of Lot 5 of said Block B of Barmarchar Sites, being the Southeast corner of said Lot 4 of Block B;


**THENCE**, S51°51'14"W, leaving the West right-of-way line of Lake Dallas Drive, in part, along the North line of said Lot 5 and the common South line of said Lot 4 and in part, over and across said 15 foot wide alley, a distance of 157.50 feet to a point at or near the center of said 15 foot wide alley;

**THENCE**, N38°08'46"W, along or near the center of said 15 foot wide alley, a distance of 191.52 feet to a point;

**LEGAL DESCRIPTION CONTINUES ON PAGE 2**

PAGE 1 OF 2

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a Registered Professional Land Surveyor under the laws of the State of Texas

		<b>EAGLE SURVEYING, LLC</b> 222 S. ELM STREET SUITE: 200 DENTON, TX 76201 (940) 222-3009 TX FIRM # 10194177	
		JOB NUMBER 2306.055-04	DRAWN BY PM



 Date 08-02-24

Matthew Raabe  
 R.P.L.S. # 6402

**ORDINANCE NO. 2024-\_\_\_\_\_**  
**EXHIBIT "A" -PROPERTY DESCRIPTION**

**ZONING EXHIBIT**

Susan O. McCarroll Survey, Abstract No. 958  
City of Lake Dallas, Denton County, Texas

**LEGAL DESCRIPTION (CONTINUED FROM PAGE 1)**

**THENCE**, S60°56'39"W, in part, over and across said 15 foot wide alley and in part, along the North line of said Lot 5, Block A, being the common South line of said Lot 4, Block A, a distance of 122.95 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the East right-of-way line of Interstate Highway 35E, being the East line of said 1.128 acre tract, from which a 1/2 inch iron rod found at the Southwest corner of Lot 8R of Lot 8R, Block A Barmarchar Sites, a subdivision of record in Cabinet T, Page 39 of the Plat Records of Denton County, Texas bears S29°00'12"E, a distance of 370.00 feet;


**THENCE**, N29°00'12"W, along the East right-of-way line of Interstate Highway 35E, being the East line of said 1.128 acre tract, a distance of 146.98 feet to the **POINT OF BEGINNING** and containing an area of 1.506 acres (65,614 square feet) of land, more or less.

Bearings are based on GPS observations utilizing the AllTerra RTK Network, North American Datum of 1983 (Adjustment Realization 2011).

This document was prepared under 22 Texas Administrative Code §138.95 does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

PAGE 2 OF 3

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a Registered Professional Land Surveyor under the laws of the State of Texas

 <b>EAGLE SURVEYING, LLC</b> 222 S. ELM STREET SUITE: 200 DENTON, TX 76201 (940) 222-3009 TX FIRM # 10194177		
2306.055-04	PM	08-02-2024

*Matthew Raabe*  
Matthew Raabe  
R.P.L.S. # 6402



*08-02-24*  
Date

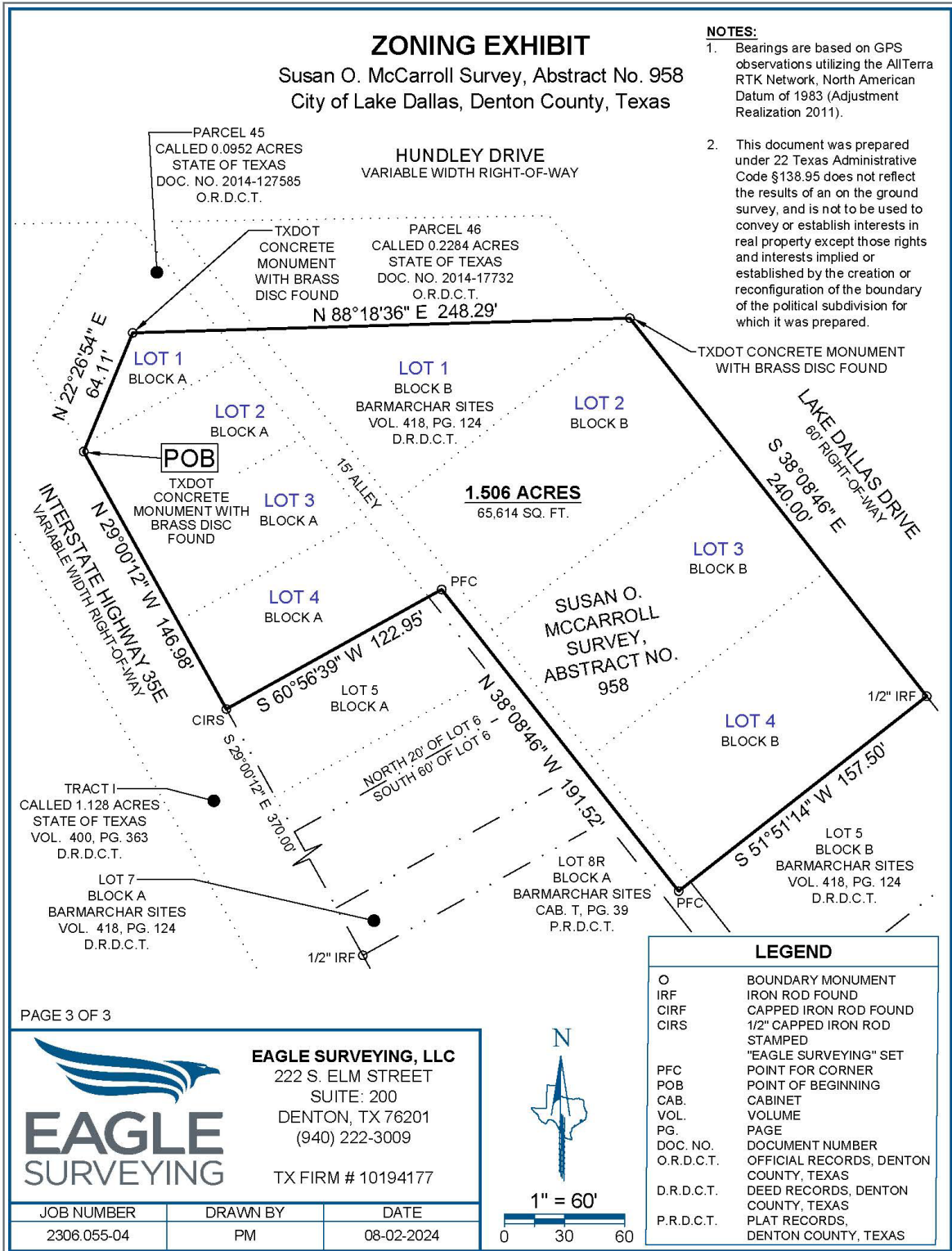
**ORDINANCE NO. 2024-\_\_\_\_\_**  
**EXHIBIT "A" -PROPERTY DESCRIPTION**

**ZONING EXHIBIT**

Susan O. McCarroll Survey, Abstract No. 958  
 City of Lake Dallas, Denton County, Texas

**NOTES:**

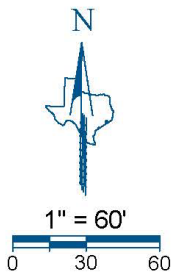
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PAGE 3 OF 3

**EAGLE SURVEYING, LLC**  
 222 S. ELM STREET  
 SUITE: 200  
 DENTON, TX 76201  
 (940) 222-3009  
 TX FIRM # 10194177

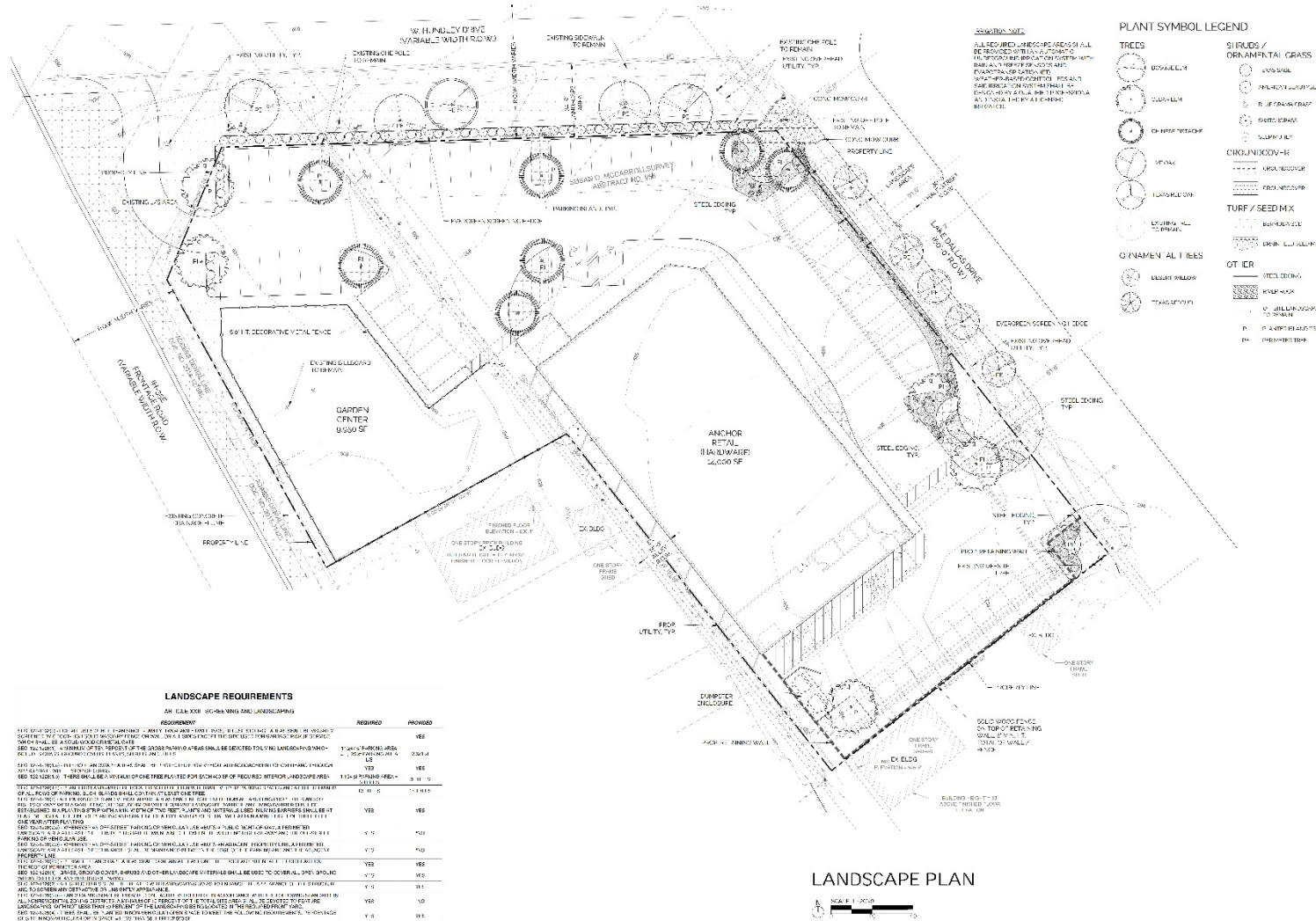
JOB NUMBER	DRAWN BY	DATE
2306.055-04	PM	08-02-2024



LEGEND	
O	BOUNDARY MONUMENT
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	1/2" CAPPED IRON ROD STAMPED
PFC	"EAGLE SURVEYING" SET POINT FOR CORNER
POB	POINT OF BEGINNING
CAB.	CABINET
VOL.	VOLUME
PG.	PAGE
DOC. NO.	DOCUMENT NUMBER
O.R.D.C.T.	OFFICIAL RECORDS, DENTON COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS, DENTON COUNTY, TEXAS



# ORDINANCE NO. 2024-\_\_\_\_ EXHIBIT "C" - LANDSCAPE PLAN



**Valley Quest  
DESIGN**

LANUSKA BLVD 1100115  
202 S. Elm St. Ste 103  
Denton, Texas 76201  
ph: 254/933-7255

CONSULTANT:

OWNER / CLIENT:

HARDWARE PROPERTIES, LLC  
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alan@hardwarepro.com  
Tel: 817-686-0000

Project No: 270-038  
Issue No: 0006  
Revised On: 200  
Scale: 1/8" = 1'-0"  
Issue Date: 07/18/2024

REVISIONS:

No.	Date	Description

PROJECT:  
ANCHOR RETAIL BUILDING  
1.42 ACRES OF LAND OUT OF  
THE SURFACE AND MOOREHEAD  
SURVEY ABSTRACT NO. 508  
A PORTION OF LOTS 1-4,  
BLOCK A OF LUSHMAN &  
SILAS & A 10 1/2 IN. ON LOT 1  
AND ALL OF LOTS 2-4, BLOCK  
B OF SURFACE ABSTRACT

SHEET TITLE:  
LANDSCAPE PLAN

SHEET NUMBER:  
LP.1.1



# ORDINANCE NO. 2024-\_\_\_\_ EXHIBIT "C" - LANDSCAPE PLAN





CONSULTANT:  
  
OWNER / CLIENT:  
HARDWARE PROPERTIES, LLC  
CONTACT: ALAN WALTER  
hulencas@gmail.com  
Tel: 817-680-0099

Project No: 2004-005  
Drawn By: JWB  
Reviewed By: JWB  
Issue Type: SITE PLAN  
Issue Date: 9/17/2024

REVISIONS:  
No. Date Description

PROJECT:  
ACE HARDWARE - LAKE DALLAS

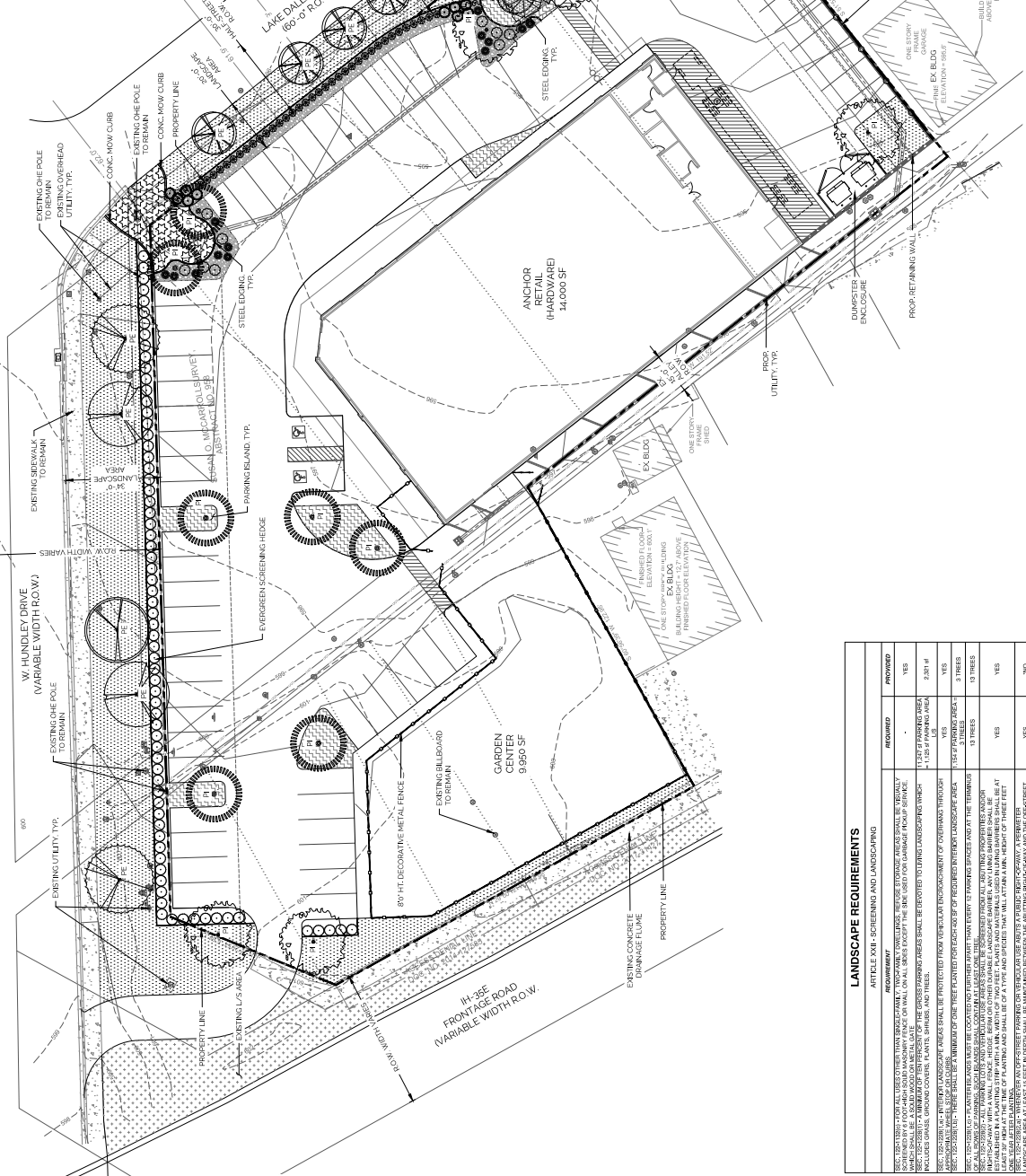
142 ACRES OF LAND OUT OF THE SUSAN O. MCCARROLL SURVEY ABSTRACT NO. 99B (THE "SUBJECT") IS BEING DEVELOPED AS A PORTION OF LOT 1 SITES & A PORTION OF LOT 1 AND ALL OF LOTS 2-4, BLOCK B OF BARMARSH SITES, THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

SHEET TITLE:  
LANDSCAPE PLAN

SHEET NUMBER:  
LP1.1

- PLANT SYMBOL LEGEND**
- TREES**
- BOGUE ELM
  - CEDAREM
  - CHERRY BLOSSOM
  - LIVE OAK
  - TEXAS RED OAK
  - ENDING TREE TO REMAIN
  - ORNAMENTAL TREES
  - DESERT YEW
  - TEXAS RED OAK
- SHRUBS / ORNAMENTAL GRASS**
- TEXAS SAGE
  - AMERICAN BOUTYBERRY
  - BLUE GRAMA GRASS
  - SMITH GRASS
  - SEEP HAWK
  - GROUND COVER
  - GROUND COVER
  - GROUND COVER
  - TURF / SEED MIX
  - BERBERIS
  - DRY FIELD SEED MIX
- OTHER**
- STEEL EDGING
  - ROCK
  - OFFER LANDSCAPE TO REMAIN
  - PLANTER ISLAND TREE
  - PERIMETER TREE

**NOTATION NOTE**  
ALL REQUIRED LANDSCAPE AREAS SHALL UNDERGO IRRIGATION SYSTEM WITH HAND WATERING CONTROLLERS AND SENSORS. IRRIGATION SYSTEMS AND HAND WATERING CONTROLLERS AND SENSORS SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL ENGINEER.



**LANDSCAPE PLAN**  
SCALE: 1"=20'-0"

**LANDSCAPE REQUIREMENTS**

ARTICLE 20M - SCREENING AND LANDSCAPING

REQUIREMENT	REQUIRED	PROVIDED
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	YES
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	20' H
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	3" THICK
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	3" THICK
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	NO
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	NO
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	YES
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	NO
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	YES
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	NO
FOR ALL USES EXCEPT FOR USES THAT REQUIRE SCREENING, THE SCREENING SHALL BE A WALL OR A PERMANENT FENCE OR A WALL ON A SLOPE AS SHOWN ON THE SITE PLAN FOR LANDSCAPE GROUP SPACES.	YES	YES

CONSULTANT:

OWNER / CLIENT:

HARDWARE PROPERTIES, LLC  
CONTACT: ALAN WALTER  
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Tel: 817-680-0099

Project No: 2024-0025  
Drawn By: HWB  
Reviewed By: JWB  
Issue Type: SITE PLAN  
Issue Date: 9/17/2024

REVISIONS:

No.	Date	Description

AUGUST 30, 2024

PROJECT:  
ACE HARDWARE- LAKE  
DALLAS

1.42 ACRES OF LAND OUT OF THE SUSAN O. MCCARROLL SURVEY ABSTRACT No. 99B ACROSS THE EAST SIDE OF BLOCK A OF BARMAR CHAR SITES & A PORTION OF LOT 1 AND ALL OF LOTS 2-4, BLOCK B OF BARMAR CHAR SITES THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS

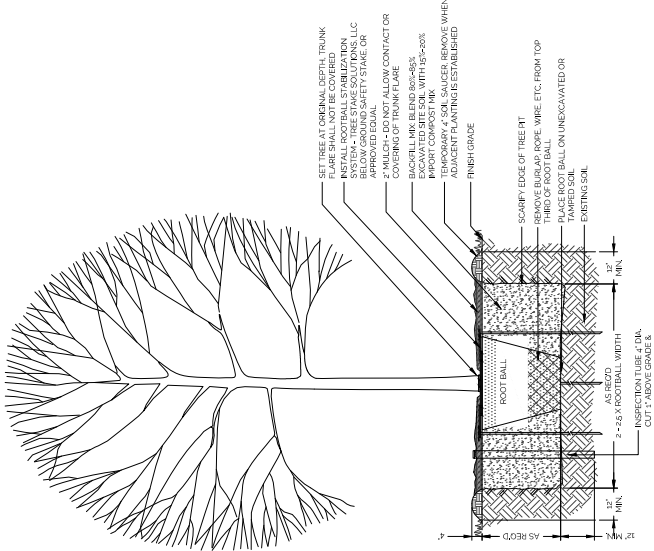
SHEET TITLE:

PLANTING DETAILS

SHEET NUMBER:

LP1.2

QUANTITY	COMMON NAME	BOUYER & WASSER	SCALE	TYPE	EMPHASIS	DETAILS
1	SHADE TREE	SHADE TREE	1/2" = 1'-0"	7	7	SHADE TREE
2	SHADE TREE	SHADE TREE	1/2" = 1'-0"	8	8	SHADE TREE
3	SHADE TREE	SHADE TREE	1/2" = 1'-0"	9	9	SHADE TREE
4	SHADE TREE	SHADE TREE	1/2" = 1'-0"	10	10	SHADE TREE
5	SHADE TREE	SHADE TREE	1/2" = 1'-0"	11	11	SHADE TREE
6	SHADE TREE	SHADE TREE	1/2" = 1'-0"	12	12	SHADE TREE
7	SHADE TREE	SHADE TREE	1/2" = 1'-0"	13	13	SHADE TREE
8	SHADE TREE	SHADE TREE	1/2" = 1'-0"	14	14	SHADE TREE
9	SHADE TREE	SHADE TREE	1/2" = 1'-0"	15	15	SHADE TREE
10	SHADE TREE	SHADE TREE	1/2" = 1'-0"	16	16	SHADE TREE
11	SHADE TREE	SHADE TREE	1/2" = 1'-0"	17	17	SHADE TREE
12	SHADE TREE	SHADE TREE	1/2" = 1'-0"	18	18	SHADE TREE
13	SHADE TREE	SHADE TREE	1/2" = 1'-0"	19	19	SHADE TREE
14	SHADE TREE	SHADE TREE	1/2" = 1'-0"	20	20	SHADE TREE
15	SHADE TREE	SHADE TREE	1/2" = 1'-0"	21	21	SHADE TREE
16	SHADE TREE	SHADE TREE	1/2" = 1'-0"	22	22	SHADE TREE
17	SHADE TREE	SHADE TREE	1/2" = 1'-0"	23	23	SHADE TREE
18	SHADE TREE	SHADE TREE	1/2" = 1'-0"	24	24	SHADE TREE
19	SHADE TREE	SHADE TREE	1/2" = 1'-0"	25	25	SHADE TREE
20	SHADE TREE	SHADE TREE	1/2" = 1'-0"	26	26	SHADE TREE
21	SHADE TREE	SHADE TREE	1/2" = 1'-0"	27	27	SHADE TREE
22	SHADE TREE	SHADE TREE	1/2" = 1'-0"	28	28	SHADE TREE
23	SHADE TREE	SHADE TREE	1/2" = 1'-0"	29	29	SHADE TREE
24	SHADE TREE	SHADE TREE	1/2" = 1'-0"	30	30	SHADE TREE
25	SHADE TREE	SHADE TREE	1/2" = 1'-0"	31	31	SHADE TREE
26	SHADE TREE	SHADE TREE	1/2" = 1'-0"	32	32	SHADE TREE
27	SHADE TREE	SHADE TREE	1/2" = 1'-0"	33	33	SHADE TREE
28	SHADE TREE	SHADE TREE	1/2" = 1'-0"	34	34	SHADE TREE
29	SHADE TREE	SHADE TREE	1/2" = 1'-0"	35	35	SHADE TREE
30	SHADE TREE	SHADE TREE	1/2" = 1'-0"	36	36	SHADE TREE
31	SHADE TREE	SHADE TREE	1/2" = 1'-0"	37	37	SHADE TREE
32	SHADE TREE	SHADE TREE	1/2" = 1'-0"	38	38	SHADE TREE
33	SHADE TREE	SHADE TREE	1/2" = 1'-0"	39	39	SHADE TREE
34	SHADE TREE	SHADE TREE	1/2" = 1'-0"	40	40	SHADE TREE
35	SHADE TREE	SHADE TREE	1/2" = 1'-0"	41	41	SHADE TREE
36	SHADE TREE	SHADE TREE	1/2" = 1'-0"	42	42	SHADE TREE
37	SHADE TREE	SHADE TREE	1/2" = 1'-0"	43	43	SHADE TREE
38	SHADE TREE	SHADE TREE	1/2" = 1'-0"	44	44	SHADE TREE
39	SHADE TREE	SHADE TREE	1/2" = 1'-0"	45	45	SHADE TREE
40	SHADE TREE	SHADE TREE	1/2" = 1'-0"	46	46	SHADE TREE
41	SHADE TREE	SHADE TREE	1/2" = 1'-0"	47	47	SHADE TREE
42	SHADE TREE	SHADE TREE	1/2" = 1'-0"	48	48	SHADE TREE
43	SHADE TREE	SHADE TREE	1/2" = 1'-0"	49	49	SHADE TREE
44	SHADE TREE	SHADE TREE	1/2" = 1'-0"	50	50	SHADE TREE
45	SHADE TREE	SHADE TREE	1/2" = 1'-0"	51	51	SHADE TREE
46	SHADE TREE	SHADE TREE	1/2" = 1'-0"	52	52	SHADE TREE
47	SHADE TREE	SHADE TREE	1/2" = 1'-0"	53	53	SHADE TREE
48	SHADE TREE	SHADE TREE	1/2" = 1'-0"	54	54	SHADE TREE
49	SHADE TREE	SHADE TREE	1/2" = 1'-0"	55	55	SHADE TREE
50	SHADE TREE	SHADE TREE	1/2" = 1'-0"	56	56	SHADE TREE
51	SHADE TREE	SHADE TREE	1/2" = 1'-0"	57	57	SHADE TREE
52	SHADE TREE	SHADE TREE	1/2" = 1'-0"	58	58	SHADE TREE
53	SHADE TREE	SHADE TREE	1/2" = 1'-0"	59	59	SHADE TREE
54	SHADE TREE	SHADE TREE	1/2" = 1'-0"	60	60	SHADE TREE
55	SHADE TREE	SHADE TREE	1/2" = 1'-0"	61	61	SHADE TREE
56	SHADE TREE	SHADE TREE	1/2" = 1'-0"	62	62	SHADE TREE
57	SHADE TREE	SHADE TREE	1/2" = 1'-0"	63	63	SHADE TREE
58	SHADE TREE	SHADE TREE	1/2" = 1'-0"	64	64	SHADE TREE
59	SHADE TREE	SHADE TREE	1/2" = 1'-0"	65	65	SHADE TREE
60	SHADE TREE	SHADE TREE	1/2" = 1'-0"	66	66	SHADE TREE
61	SHADE TREE	SHADE TREE	1/2" = 1'-0"	67	67	SHADE TREE
62	SHADE TREE	SHADE TREE	1/2" = 1'-0"	68	68	SHADE TREE
63	SHADE TREE	SHADE TREE	1/2" = 1'-0"	69	69	SHADE TREE
64	SHADE TREE	SHADE TREE	1/2" = 1'-0"	70	70	SHADE TREE
65	SHADE TREE	SHADE TREE	1/2" = 1'-0"	71	71	SHADE TREE
66	SHADE TREE	SHADE TREE	1/2" = 1'-0"	72	72	SHADE TREE
67	SHADE TREE	SHADE TREE	1/2" = 1'-0"	73	73	SHADE TREE
68	SHADE TREE	SHADE TREE	1/2" = 1'-0"	74	74	SHADE TREE
69	SHADE TREE	SHADE TREE	1/2" = 1'-0"	75	75	SHADE TREE
70	SHADE TREE	SHADE TREE	1/2" = 1'-0"	76	76	SHADE TREE
71	SHADE TREE	SHADE TREE	1/2" = 1'-0"	77	77	SHADE TREE
72	SHADE TREE	SHADE TREE	1/2" = 1'-0"	78	78	SHADE TREE
73	SHADE TREE	SHADE TREE	1/2" = 1'-0"	79	79	SHADE TREE
74	SHADE TREE	SHADE TREE	1/2" = 1'-0"	80	80	SHADE TREE
75	SHADE TREE	SHADE TREE	1/2" = 1'-0"	81	81	SHADE TREE
76	SHADE TREE	SHADE TREE	1/2" = 1'-0"	82	82	SHADE TREE
77	SHADE TREE	SHADE TREE	1/2" = 1'-0"	83	83	SHADE TREE
78	SHADE TREE	SHADE TREE	1/2" = 1'-0"	84	84	SHADE TREE
79	SHADE TREE	SHADE TREE	1/2" = 1'-0"	85	85	SHADE TREE
80	SHADE TREE	SHADE TREE	1/2" = 1'-0"	86	86	SHADE TREE
81	SHADE TREE	SHADE TREE	1/2" = 1'-0"	87	87	SHADE TREE
82	SHADE TREE	SHADE TREE	1/2" = 1'-0"	88	88	SHADE TREE
83	SHADE TREE	SHADE TREE	1/2" = 1'-0"	89	89	SHADE TREE
84	SHADE TREE	SHADE TREE	1/2" = 1'-0"	90	90	SHADE TREE
85	SHADE TREE	SHADE TREE	1/2" = 1'-0"	91	91	SHADE TREE
86	SHADE TREE	SHADE TREE	1/2" = 1'-0"	92	92	SHADE TREE
87	SHADE TREE	SHADE TREE	1/2" = 1'-0"	93	93	SHADE TREE
88	SHADE TREE	SHADE TREE	1/2" = 1'-0"	94	94	SHADE TREE
89	SHADE TREE	SHADE TREE	1/2" = 1'-0"	95	95	SHADE TREE
90	SHADE TREE	SHADE TREE	1/2" = 1'-0"	96	96	SHADE TREE
91	SHADE TREE	SHADE TREE	1/2" = 1'-0"	97	97	SHADE TREE
92	SHADE TREE	SHADE TREE	1/2" = 1'-0"	98	98	SHADE TREE
93	SHADE TREE	SHADE TREE	1/2" = 1'-0"	99	99	SHADE TREE
94	SHADE TREE	SHADE TREE	1/2" = 1'-0"	100	100	SHADE TREE



CONSULTANT:

OWNER / CLIENT:

HARDWARE PROPERTIES, LLC  
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Project No: 2024-026  
Drawn By: MWB  
Reviewed By: JOB  
Issue Type: SITE PLAN  
Issue Date: 8/7/2024

REVISIONS:

No.	Date	Description

PROJECT:

ACE HARDWARE - LAKE DALLAS

1.42 ACRES OF LAND OUT OF THE SUSAN O. MCCARROLL SURVEY, ABSTRACT No. 998 AND A PORTION OF LOT 1, BLOCK A OF BARMAR CHAR SITES & A PORTION OF LOT 1 AND ALL OF LOTS 2-4, BLOCK B OF BARMAR CHAR SITES THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS

SHEET TITLE:

LANDSCAPE ILLUSTRATIVE PLAN

SHEET NUMBER:

LP1.3

**PLANT SYMBOL LEGEND**

**TREES**

- BOSQWAE ELM
- CEDAR ELM
- CHINESE PISTACHE
- LIVE OAK
- TEXAS RED OAK
- SPRINGTOWN TREE TO REMAIN
- DESERT WILLOW
- TEXAS REDBUD

**SHRUBS / ORNAMENTAL GRASS**

- TEXAS SAGE
- AMERICAN BEAUTYBERRY
- BLUE GRAMA GRASS
- SWITCHGRASS
- SEEP HAWK

**GROUND COVER**

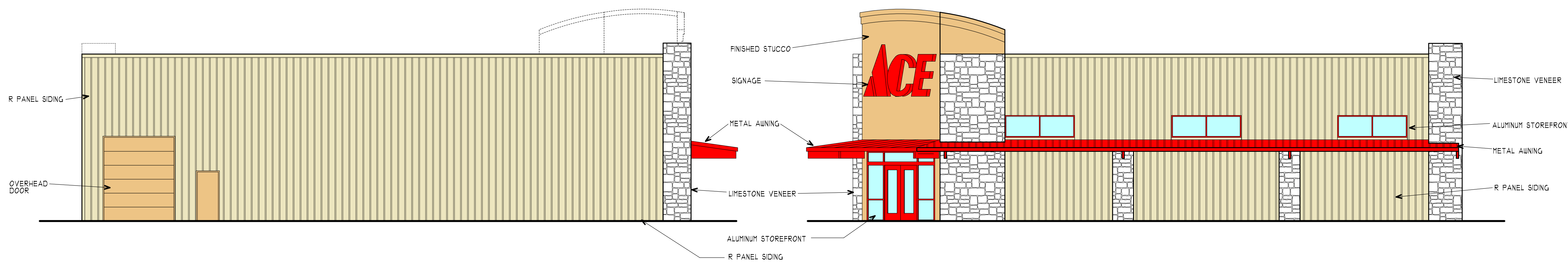
- GROUND COVER
- GROUND COVER
- TURF / SEED MIX
- BERMUDA 500
- DRAINFIELD SEED MIX

**OTHER**

- STEEL EDGING
- RIVER ROCK
- OFFSITE LANDSCAPE TO REMAIN

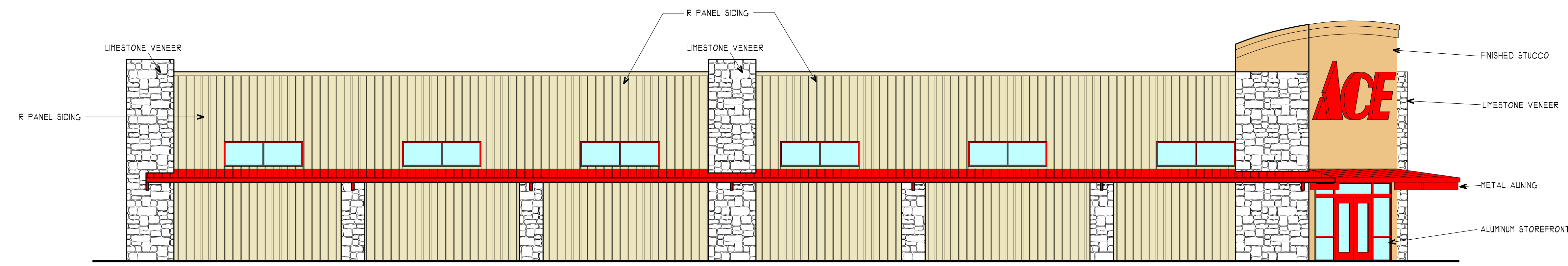






**SOUTH ELEVATION**  
 SCALE: 1/8" = 1'-0"

**NORTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



**EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"

Mark M. Martin, Architect  
 Michael A. Bates, Architect  
 2220 SAN JACINTO BLVD. #330  
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**B.M.**  
 BATESMARTIN  
 ARCHITECTS

BMA  
 PROJECT NO.  
**24-204**

REV \_\_\_\_\_  
 REV \_\_\_\_\_  
 REV \_\_\_\_\_  
 REV \_\_\_\_\_

**EXTERIOR  
 ELEVATIONS**

SHEET  
**A5.1**  
 OF 2