



Planning and Zoning Commission

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RECOMMENDATION TO COUNCIL

LAKES OF AURORA – ZC.16.3.718.LOA.PDD-S6-SFR

DATE: 7 June 2017

TO: Honorable Mayor Terry Solomon
and the Aurora City Council

FROM: Commission Chair, Steve Derting
and the Planning and Zoning Commission

RE: Lakes of Aurora – Zoning Case ZC.16.3.718.LOA.PDD-R6-SFR

Dear Honorable Mayor and City Council,

At the regularly scheduled meeting of the Planning and Zoning Commission, on May 9th, 2017, the Commission held a Public Hearing and consideration of this Planned Development District (PDD) request. Prior to opening the Public Hearing, the applicant was provided the opportunity to formally present this PDD to the Commission. The Public Hearing was opened and seven (7) people were given the opportunity to speak. The Public Hearing was then closed for the Commission to begin its deliberations.

After considerable discussion, Commissioner Cary Melema made the motion to table and further discuss. The motion was seconded by Commissioner Dan McEntire. The motion was approved by the full Commission by a vote of seven (7) for and zero (0) against.

At its special scheduled meeting on May 23rd, 2017, the Commission revisited the tabled motion and requested additional materials from the developer. These materials were requested via letter from the Planning and Zoning Commission which read:

The materials presented at the Planning and Zoning Commission Public Hearing have substantially changed from the accepted submittal. We would request TCCI Land Development, Inc. to correct the documents before they are presented to council. These items include, but are not limited to:

- Site maps indicate 369 lots; however, the actual count is 344. Please correct all documents reflected an accurate lot count. (Lot count has been corrected to 344, with Lake Size of 60acres)
- The reduction in the number of lots substantially changes the Traffic Impact Analysis. An amended study should be submitted, for administrative and zoning board review, before a council hearing can be scheduled.
- The reduction in the number of lots substantially changes the Environmental Study. An amended study should be submitted, for administrative and zoning board review, before a council hearing can be scheduled.
- There is no evidence presented that your company has conferred with TxDOT – Decatur Office regarding their request for ingress/egress lanes into the existing operation site of Image Construction, 2701 FM 718, Aurora. Please provide permit documents and/or correspondence from the area engineer before a council hearing can be scheduled.

After considerable discussion, Commissioner Steve Derting made the motion to approve the request for corrected information and send a letter to the developers. The motion was seconded by Commissioner Donna Austin. The motion was approved by the full Commission by a vote of seven (7) for and zero (0) against. After considerable discussion, Commissioner Dan McEntire made an amended motion to require written acceptance from TxDOT before the case would be accepted and sent to Council for review. The amended motion was seconded by Commissioner Steve Derting. The amended motion was approved by the full Commission by a vote of seven (7) for and zero (0) against.

At its regularly scheduled meeting on June 6th, 2017, the Planning and Zoning Commission opened into general session for the consideration.

Recommend approval to the City Council with conditions:

1. Clarification (to the satisfaction of the City) of those components to be included in the “Amenity Center,” with the construction of said “Amenity Center” to begin no later than Phase III of Residential Development.
2. Clarification of zoning boundaries and base zoning
3. A minimum area/dwelling unit SF requirement of 2,200 (in lieu of requested 1,800 SF)

4. A minimum front building line of 25' (in lieu of requested 20' to remain consistent with R-4)
5. Alternating minimum lot widths of 50' 60' and 70' at the front property line. The lots shall be broken down as follows: 55% at 50'; 30% at 60'; and 15% at 70'
6. A minimum rear building line of 10' as requested (in lieu of R-4 minimum 15')
7. A non-primary front yard setback of 20' (in lieu of requested 10' to remain consistent with R-4)
8. Minimum 90% masonry required on all exterior elevations with a limitation of "cementaceous fiberboard lap siding" use as an approved building material to no more than 20% of each exterior elevation
9. Written (draft) wholesale water agreement between all 5-parties (including Aurora, Rhome/Palo Duro WSC/Walnut Creek SUD/ Lakes of Aurora), identifying Aurora as the preferred sole retail provider to the Lakes of Aurora PDD, subject to TCEQ approval
10. Obtain TCEQ permit approval to construct a private or TRA regional WWTP
11. Clarification of interim WWTP operator, retail sewer service provider and wholesale operator of plant as the City of Aurora with the option of a "Regional" wholesale provider such as the Trinity River Authority (TRA) for the WWTP operation
12. "Lake Construction Phasing Plan" to coincide with "Residential Phasing Plan"
13. Sequential completion and acceptance of Community Facilities for each Residential Phase and corresponding Lake Phase (as amended in ix.) prior to proceeding with next designated phase (i.e. ready for building permits) emphasizing that Phase I Residential shall begin prior to Phase II Lake excavation
14. Phase I of development should begin immediately to include the area of the former Williams property (File No. 201328044, Wise County Deed of Records, Recorded October 31, 2013 at 9:45AM, 3pages), with no Eastern expansion of boundary beyond the boundary conveyed in this General Warranty Deed. The dimensions of Phase I shall be:

LEGAL DESCRIPTION (File No. 201328044, Page 2, Wise County Deed of Records)

Legal Description of the Land:

Being 27.9114 Acres of land out of the W.C. HALLMARK SURVEY, Wise County, Texas, being more particularly described by metes and bounds as follows:

Beginning at Fence Corner in the North line of Tract #13 acquired by the U.S.A. in condemnation of the District Court of U.S.A. for the Fort Worth Division of the Norther District of Texas, Civil #470 and conveyed to George

B. Miller as shown in Volume 25, Page 264, Deed Records, Wise County, Texas, a distance of 2296.3' N 88° 58' 00" W from the Northeast corner of said Tract #13. Said Fence Corner, also being the Northwest corner of a Tract of Land deeded to the Veterans Land Board of Texas, by George B. Miller et al, as shown in Volume 244, Page 389, Deed Records, Wise County, Texas:

THENCE, S 01° 09' 48" W, with a fence, 473.05' to a fence corner;

THENCE, N 89° 06' 46" W, with a fence, 182.25' to a Found 1" Pipe;

THENCE, S 00° 20' 59" W, with a fence, 518.70' to a Found 3/8" Pin;

THENCE, N 88° 31' 46" W, with a fence, 1113.30' to a Concrete Monument;

THENCE, N 01° 08' 20" E, with a fence, 42.84' to a Concrete Monument;

THENCE, N 89° 02' 22" W, with a fence, 167.22' to a Concrete Monument in the Easterly line of State Highway #718;

THENCE, N 41° 51' 00" W, along the Easterly line of State Highway #718 and generally with a fence, 300.11' to a Found 1" Iron Pin;

THENCE, S 89° 00' 38" E, with a fence, 373.44' to a Found ½" Iron Pin;

THENCE, N 01° 33' 21" E, with a fence, 697.22' to a Concrete Monument;

THENCE, S 88° 54' 37" E, with a fence, 894.60' to a Concrete Monument;

THENCE, N 02° 53' 37" E, with a fence, 25.75' to a Concrete Monument;

THENCE, S 88° 47' 37" E, with a fence, 386.53' to the POINT OF BEGINNING and containing 27.91145 Acres of land, more or less.

15. Provision of a timeline for all phases of development

16. Completion of turn and deceleration lane additions to FM 718 as permitted and approved by TxDOT prior to beginning Phase II Residential or Phase IV Lake excavation

After considerable discussion, Commissioner Dan McEntire made the motion to approve the 16 criteria with amendments (as included above), and recommend to City Council at the Special June 12, 2017 Meeting. The motion was seconded by Commissioner Donna Austin. The motion was approved by the full Commission by a vote of 6 for and 0 against. (Commissioner Cary Melema was absent for the meeting.)

Very Respectfully Submitted for
your consideration and approval,

Steve Derting, Commission Chair
Planning and Zoning Commission