

# City: Commence with clearing land

Developers can move dirt on Rayzor Ranch ahead of runoff pond's completion

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**By Lowell Brown / Staff Writer**

The Denton City Council on Tuesday ratified a deal with Rayzor Ranch developers that will let them start clearing land on the northern end of the massive development before they finish a required detention pond to the south.



DRC/Barron Ludlum

Dirt is being moved on the north side of the Rayzor Ranch project across from Albertsons on University Drive.

The agreement with Allegiance Hillview L.P. allows limited clearing and grading on land north of U.S. Highway 380, where a Wal-Mart, Sam's Club and Lowe's are planned as part of the Rayzor Ranch Marketplace.

Workers were already moving dirt on the northern end of the property before Monday's meeting. Assistant City Manager Howard Martin said the work was being done under a mass grading permit approved as part of the developer agreement.

"We've identified a schedule for the completion of the other detention," Martin said. "The excavation is complete, but they were waiting on materials to complete the connection to our storm drainage system."

The city could halt the work after three weeks if Allegiance fails to finish the required pond south of U.S. 380, where the Rayzor Ranch Town Center is planned. The pond is designed to prevent rainwater and mud from running onto Bonnie Brae Street -- a recurring problem since developers cleared the southern tract last year before abruptly stopping construction.

"We are not waiving any requirements," said P.S. Arora, the city's assistant director of wastewater. "We are requiring them to finish the pond on the south side [of U.S. 380], even though it's not connected to the work on the north side. They have committed to do that."

The council approved the agreement without discussion as part of its consent agenda.

Andy Osborne of Fortress Investment Group, who signed the agreement on behalf of Allegiance, referred questions to another representative of the developers who could not be reached for comment.

Developers and city workers have been meeting regularly to get Rayzor Ranch back on track after a change in financial backers, drainage problems and other factors sidetracked the nearly \$1 billion development. Plans call for open-air retail shops, single-family homes, apartments, an outdoor amphitheater, two museums, a multi-story hotel, a bookstore and restaurants on 410 acres between Interstate 35 and Bonnie Brae.

City officials said the agreement ratified Tuesday was crafted in light of two factors: the need for Allegiance to start clearing the northern tract and a change in drainage-control plans.

Developers originally wanted to hold runoff in North Lakes Pond in nearby North Lakes Park but ran into hurdles with the federal National Resource Conservation Service, Arora said. Plans now call for a detention pond on the northeast corner of the property to hold runoff.

Developers also would control water flow by placing fill material along a section of the North Lakes dam that extends into the Rayzor Ranch site from the east.

The National Resource Conservation Service approved the plans, but the Texas Commission on Environmental Quality still must endorse them before workers can alter the dam's structure, Arora said.

The city's agreement also requires temporary flood-control measures, including a rock dam, as workers clear the land.

Last year, the council approved an agreement allowing developers to recoup, through sales tax generated by new stores, up to \$62 million of the money they spend on public projects, including a planned widening of U.S. 380 from four to six lanes from Interstate 35 to Bonnie Brae.

*Staff writer Peggy Heinkel-Wolfe contributed to this report.*

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