

# Staff Analysis

PP24-0002 / Hunter Ranch Phase #1 Amenity Center

City Council District #4

Planning & Zoning Commission

**REQUEST:**

Preliminary Plat for an approximately 7.967-acre tract.

**APPLICANT:**

Kimley-Horn on behalf of HR 3200, LP.

**RECOMMENDATION:**

Staff recommends denial, as the proposed Preliminary Plat fails to meet the established approval criteria, as shown in the following table:

## Preliminary Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>1. Generally</b>			
<p><b>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The Preliminary Plat does not meet all review criteria, as detailed in Approval Criteria 4a, 7a, 10a and 12a below and the following items as required by the Preliminary Plat Checklist (PPC) authorized per the Hunter Ranch Master Planned Communities (MPC) Section 2.4.4B:</p> <ol style="list-style-type: none"> <li>1. Please update the Denton Development Application. (PPC 1.1)</li> <li>2. Please update Subdivision Name and Survey Name, as well as provide the Block number. (PPC 2.2)</li> <li>3. Please provide the Block number (PPC 1.10)</li> <li>4. Please provide a complete legend with all abbreviations, graphic symbols, and line types used. (PPC 2.10)</li> <li>5. Please provide a note indicating how adequate water and wastewater service will be provided for the development. Could not be located on the Preliminary Plat. (PPC 2.13.a)</li> <li>6. Please clarify square footage being presented on the lot. (PPC 3.3 &amp; 5.3)</li> <li>7. Please label the area of each easement in acres. (PPC 3.4)</li> <li>8. Include the instrument number for platted properties of Phase 1. (PPC 4.2)</li> <li>9. Provide recording information for all easements including existing and proposed. (PPC 4.4)</li> </ol> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p><b>b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 331 1154 432" style="border: 1px solid black; padding: 5px;"> <p>The Preliminary Plat does not meet Approval Criteria 4a, 7a, 10a and 12a as detailed below.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 674 1154 756" style="border: 1px solid black; height: 39px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Prior Approvals</b>			
<p><b>a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1094 1154 1232" style="border: 1px solid black; padding: 5px;"> <p>The proposed Preliminary Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b>  <b>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1472 1154 1610" style="border: 1px solid black; padding: 5px;"> <p>Denton Plan 2040's Future Land Use Map designates the subject property as Master Planned Community. The proposed use is consistent with the designation.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1814 1146 1898" style="border: 1px solid black; height: 40px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p><b>4. Compliance with this DDC</b></p> <p><b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 10px;"> <p>In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> <li>1. Ensure dimensions are provided between easement lines to differentiate multiple easement locations. These easements should be easily recreated in the field. (PPC 3.5, DDC 7.8.10, DDC 7.9.5.B, DDC 8.3.2.C, TCM 2.3.4 and TCM 4.3.1)</li> <li>2. Verify easement alignments with the Phase 1A plans. The Phase 1A sheets showed yard inlets in this area inside angled easements. (DDC 7.5.3.E, I, J and N, SWCM 3.3.5 and 3.9 and PPC 3.5)</li> <li>3. Label city and ETJ limits on the Vicinity Map. (PPC 4.7)</li> <li>4. Previous Phase 1A submittal showed a sidewalk easement in this area. Clarify why it is not shown in this submittal. (PPC 3.4, PPC 3.5 and PPC 4.4)</li> <li>5. Previous Phase 1A submittal showed a different dimension for this curve. Has this been revised as part of this submittal? All submittals must match dimensions to ensure plat consistency. (PPC 5.2)</li> <li>6. For site that are larger than 3 acres, provide water and sewer demand/loading calculations consistent with the Water and Wastewater Design Criteria Manual. (W/WWDCM 3.3 and 4.2/BEP)</li> <li>7. Applicant: Include responses next to comments indicating how each have been addressed with the comment arrow text box. <span style="float: right;"><input type="checkbox"/></span></li> <li>8. INFORMATION: When a proposed water or wastewater main crosses a non-City utility that has its own easement, a letter of permission or encroachment agreement from the affected utility is required in addition to an easement from the affected property owner CONCURRENT with CEP submittal. An example of this would be a wastewater main crossing privately held oil or gas pipeline in designated private easement. In those instances, a wastewater easement should be obtained from the underlying property owner for the entire width of the private easement, and a separate letter of permission or encroachment agreement obtained from the non-City utility owner for the area of the wastewater main crossing easement. (BEP) <span style="float: right;"><input checked="" type="checkbox"/></span></li> <li>9. INFORMATION: Provide the recording information for these phases in future submittals. It is understood these phases are currently in the Final Plat and CEP stages. (PPC 4.2)</li> <li>10. INFORMATION: Coordinate ESA limits with City of Denton Environmental staff. (PPC 3.12, DDC 7.5, DDC 8.3.2.B and ZCPC 5.4)</li> <li>11. INFORMATION: Review of existing and proposed drainage improvements including detention, storm sewer and other related calculations will be provided in a future CEP review.</li> <li>12. INFORMATION: All trees, fences and retaining walls, signs, and underground foundations or any parts of structures shall not encroach into public utility, water or sewer easements. (DDC Section 7.6.7.I.) <span style="float: right;"><input type="checkbox"/></span></li> </ol> </div>			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p><b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 331 1146 426" style="border: 1px solid black; padding: 5px;"> <p>The proposed Preliminary Plat provides sufficient detail for review.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>			
<p><b>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 764 1154 858" style="border: 1px solid black; padding: 5px;"> <p>The Preliminary Plat meets the requirements.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6. Consistent with Interlocal and Development Agreements</b>			
<p><b>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements and comply with the terms and conditions of any such agreements incorporated by reference into this DDC.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1192 1154 1335" style="border: 1px solid black; padding: 5px;"> <p>The proposed Preliminary Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020, and the with the associated project agreements.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>7. Minimizes Adverse Environmental Impacts</b>			
<p><b>a. The proposed development should be designed to minimize negative environmental impacts and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</b></p> <p><b>Findings:</b></p> <div data-bbox="261 1709 1122 1948" style="border: 1px solid black; padding: 5px;"> <p>Applicant has demonstrated compliance with ESA regulations. However, the following note is required:</p> <p>A Tree Survey and Preservation Plan will be required to proceed with Building Permits on the subject site. Minimum Tree Preservation requirements of the Denton Development Code Section 7.7.4. must be met prior to the release of any permits.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>			
<p data-bbox="203 237 1190 338"><b>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</b></p> <p data-bbox="251 373 373 405"><b>Findings:</b></p> <div data-bbox="251 436 1157 558" style="border: 1px solid black; padding: 5px;"> <p data-bbox="269 451 1092 520">Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9. Minimizes Adverse Fiscal Impacts</b>			
<p data-bbox="203 636 1190 699"><b>a. The proposed development should not result in significant adverse fiscal impacts on the city.</b></p> <p data-bbox="251 735 373 766"><b>Findings:</b></p> <div data-bbox="251 798 1157 919" style="border: 1px solid black; padding: 5px;"> <p data-bbox="269 812 1092 882">Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>10. Compliance with Utility, Service, and Improvement Standards</b>			
<p data-bbox="203 993 1190 1123"><b>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</b></p> <p data-bbox="251 1159 373 1190"><b>Findings:</b></p> <div data-bbox="251 1222 1177 1990" style="border: 1px solid black; padding: 5px;"> <p data-bbox="269 1236 1040 1306">In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required:</p> <ol data-bbox="269 1346 1149 1577" style="list-style-type: none"> <li data-bbox="269 1346 1149 1444">1. Show the valves locations within Street A on Sheet U-1 and within Street E on Sheet U-2. Typical a valve placement per PIAZ15 on Sheet 2 of City Standard Details. (STD DTL)</li> <li data-bbox="269 1444 1149 1507">2. Please show public utility easements per uploaded V1 DME markups (Denton Development Code Subchapter 7.13.6).</li> <li data-bbox="269 1507 1149 1577">3. The City of Denton requires the following plan stamp on all new final plats:</li> </ol> <p data-bbox="318 1612 1149 1976" style="margin-left: 20px;">           THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.         </p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>11. Provides Adequate Road Systems</b>			
<p>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.</p> <p>Findings:</p> <div data-bbox="253 470 1154 554" style="border: 1px solid black; height: 40px; width: 555px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. Provides Adequate Public Services and Facilities</b>			
<p>a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.</p> <p>Findings:</p> <div data-bbox="253 961 1154 1077" style="border: 1px solid black; padding: 5px;"> <p>The Preliminary Plat does not meet Approval Criteria 4a, 7a, and 10a as detailed above.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>13. Rational Phasing Plan</b>			
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div data-bbox="253 1381 1162 1520" style="border: 1px solid black; padding: 5px;"> <p>The proposed development will include multiple phases as approved in the MPC ordinance. However, this is the first phase of the proposed development, so no subsequent phases have been completed.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Preliminary Plat Review Applicability Criteria (DDC Section 2.6.e.D)	Applicability		
	Met	Not Met	N/A
<p><b>14. Provides a layout of lots, roads, driveways, utilities, drainage, and other public facilities and services designed to minimize the amount of disturbance to sensitive natural areas or other community resources.</b></p> <p>Findings:</p> <div data-bbox="204 1898 1154 1976" style="border: 1px solid black; height: 37px; width: 585px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Plat Review Applicability Criteria (DDC Section 2.6.e.D)	Applicability		
	Met	Not Met	N/A
<p><b>15. Provides evidence of public water and sewer system connections.</b></p> <p><b>Findings:</b></p> <div data-bbox="203 367 1156 462" style="border: 1px solid black; height: 45px; width: 587px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>16. Identifies and adequately mitigates known natural hazard areas.</b></p> <p><b>Findings:</b></p> <div data-bbox="203 634 1156 720" style="border: 1px solid black; height: 41px; width: 587px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>17. Proposes reasonable project phasing in terms of infrastructure capacity.</b></p> <p><b>Findings:</b></p> <div data-bbox="203 924 1148 1071" style="border: 1px solid black; padding: 5px;"> <p>The proposed Preliminary Plat provides is Phase 1 of the Hunter Ranch Master Planned Community. All proposed infrastructure will be constructed to support Phase 1.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>