

Planning Staff Analysis

PDA25-0002/Charter School

City Council District #4

REQUEST:

Amendment to an approved Development Plan for Planned Development 139 on 15.375 acres to accommodate the development of an Institutional Use (charter school).

SITE DATA:

The site is a 15.375-acre undeveloped tract located on the south side of Vintage Boulevard about 540 feet east of the I-35W Ramp intersection.

Vintage Boulevard is classified as a Primary Arterial which originates at Hwy 377 and extends across I-35W and continues west as FM 2449. It has been recently reconstructed between Hwy 377 and I-35W by expanding the roadway to a four-lane divided section with a five-foot sidewalk on the north side of the roadway and a ten-foot shared-use trail (accommodating bicycles and pedestrians) along the south side of the roadway. The Mobility Plan depicts a future extension of Loop 288 (currently terminates at I-35 in north Denton) toward the west and south, ultimately connecting to I-35W at FM 2449.

Additionally, the site abuts the western edge of the future John Paine Road, which is a north/south Collector that will ultimately connect Crawford Road to Vintage Boulevard. Development of the site will require dedication of right-of-way and construction of a portion of the road and a 10-foot sidepath along the property's frontage.

There are no Environmentally Sensitive Areas on the 15.375-acre site; however, a floodplain running east/west is located south of the subject site.

SURROUNDING ZONING AND USES:

Northwest: Zoning: PD-139 Use: Commercial Use approved, development in review	North: Zoning: PD-139 Use: undeveloped	Northeast: Zoning: PD-139 Use: single-family residential
West: Zoning: PD-139 Use: Multifamily	SUBJECT PROPERTY	East: Zoning: Public Facility (PF) District Use: Fire Station/Police Substation Facility
Southwest: Zoning: Hunter Ranch MPC (Mixed Use Regional) Use: Undeveloped	South: Zoning: Hunter Ranch MPC (Mixed Use Regional and Mixed Use Neighborhood) Use: Undeveloped	Southeast: Zoning: PF district Use: Fire Station/Police Substation Facility

CONSIDERATIONS:

A. Section 2.4.5.E of the DDC provides approval criteria applicable to all applications.

1. *General Criteria*

- 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.*

The review criteria was applied as required.

- 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.*

Section 2.7.3.D of the DDC applies to this rezoning to PD request. An analysis of this request per those criteria can be found below in Consideration 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 through 2.9 controls.*

There are no conflicts between the general criteria and the criteria specific for rezoning to PD requests.

2. Prior Approvals

The proposal is consistent with the permitted uses and development standards within PD-139:

	Planned Development 139	Proposal	Conformance
Use	Institution Use, Educational Facilities	Charter School	Yes
Minimum lot area	None	669,744 gross square feet	Yes
Minimum lot width	None	~553 feet	Yes
Minimum lot depth	None	~1,392 feet	Yes
Front yard setback	25 Feet	~131 feet	Yes
Rear yard setback	10 Feet	~878 feet	Yes
Side yard setback	10 Feet	~133/~105 feet	Yes
Maximum building height	43 feet (can be increased with larger setbacks)	K-8 Classroom Building: ~23 feet; Gym: 28 feet	Yes
Maximum lot coverage	50%	292,282 square feet of impervious area (43.64 %)	Yes
Maximum floor to area ratio	2:1	62,075 square feet of total building area (.09:1)	Yes
Parking	<u>Elementary or middle school</u> : one space per 12 student design capacity + one for each for employee on the largest shift, + guest spaces determined by the school; no parking maximum	<u>Elementary or middle school</u> : 118 <u>Total provided</u> : 130 to accommodate after-school events	Yes

- **Airport Height Regulations:** The subject property is located in the Airport Height Hazard District Overlay district and must comply to the regulations in DDC Section 4.5.8. The maximum height in PD-139 is 43 feet, below the maximum allowed within the Airport Height Hazard District Overlay. Final heights of the buildings will be confirmed with the Building Permit review.
- **Landscaping and Trees:** Ordinance 1991-034 states that the regulations of the Denton Landscape Code in effect on the date of the approval of the plan shall apply. Under the 1988 Landscape Code, which is the applicable code due to the Concept Plan having been approved in 1999, commercial development required three general standards related to the request: 20% landscaping in the area between the front façade and the street, 5% parking lot landscaping, and parking lot screening. At a minimum, the proposal must comply with these standards. The Development Plan reflects adequate space available to meet these standards, and Staff will review the Landscape Plan to confirm conformance with the Civil Plan submittal

3. *Consistent with the Comprehensive Plan and Other Applicable Plans*

The decision-making authority:

a. *Shall weigh competing goals, policies, and strategies.*

The following goals and policies of the Denton 2040 Comprehensive Plan are designed to encourage adequate opportunities for students and Denton's economic growth:

- **Economic Vitality:** According to Denton 2040 Comprehensive Plan (page 3-4), nearly 17% of the jobs located in Denton are in Education Services. According to the Plan, "As the universities [UNT and TWU] evolve their educational programs within the University of North Texas and Texas Women's University to prepare new graduates to fill well-paying jobs offered by growing industries, the City can strengthen its position as an education hub." The proposed charter school will provide additional job opportunities in the Education Services market. Furthermore, the location of the proposed charter school near the intersection of a Freeway and a Primary Arterial ensures the development of workplaces that are close to and complement residential, civic, and recreational uses (Action 3.2).
- **Mobility:** New developments should include a mix of uses and place homes within walking distance to shopping, education, employment, and entertainment (Action 6.4.1). While the proposed charter school will attract students beyond the adjacent neighborhood and City borders, the location near residential development along an Arterial roadway with pedestrian and bicycle facilities (10-foot path) allows for a variety of transportation options to the school for students and employees.

b. *May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in the Comprehensive Plan.*

Future Land Use

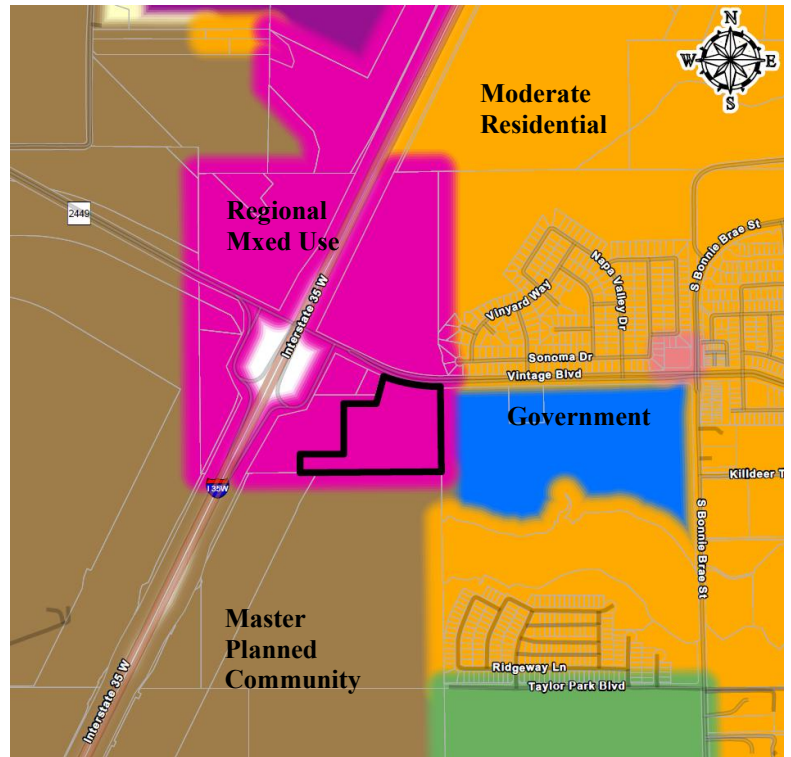
Per the Denton 2040 Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated as Regional Mixed Use. This designation applies to areas intended to serve as regional destinations within Denton, and development may include residential, commercial, office, entertainment, and other uses except industrial, at the highest levels of scale and density within the city.

The proposal would provide a supporting service for the area, particularly for current and future residential development.

4. *Compliance with this DDC*

- a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

The proposed Development Plan complies with the PD Amendment process as outlined in DDC Section 2.7.3. The proposal follows the standards as required by the planned development regulations.



- b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*

The applicant has provided a development map in conformance with the application submittal requirements. The map has been reviewed for conformance with the PD development standards and conceptual perimeter street and utility improvements. Final design for drainage and public facilities will be reviewed with the civil engineering plan submittal.

5. *Compliance with Other Applicable Regulations*

The proposal conforms to the PD regulations for both use and development standards.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements for the subject site.

7. *Minimizes Adverse Environmental Impacts*

There are no Environmentally Sensitive Areas, Wildlife Corridors, or Preferred Land Preservation areas within the site's boundary.

8. *Minimizes Adverse Impacts on surrounding Property*

This proposed development is not expected to have an adverse impact on surrounding properties.

9. *Minimizes Adverse Fiscal Impacts*

While the proposal is not anticipated to create significant adverse fiscal impacts, it is difficult to determine the actual impact using the City's Fiscal Impact Model, as it does not include charter schools as a Use Type. The Fiscal Impact Model is designed to capture the most frequent uses (for example, Industrial, Apartment, Single-Family) but is limited on highly specific land uses, including charter schools.

Therefore, the Fiscal Impact Model was calculated using two Use Types to demonstrate variability in the potential impact (Exhibit 13) based on developments on similar size and estimated employee count:

- Retail: Using a Retail Use, the model estimates a net impact of \$19,520,200 to the City's General Fund.
- Office: Using an Office Use, the model estimates a net impact of -\$638,400 to the City's General Fund.

See Exhibit 13 – Fiscal Impact Summary for additional information.

10. *Compliance with Utility, Service, and Improvement Standards*

This proposed PD Amendment will not negatively affect utilities, services or improvements. When the site is developed, it will be reviewed to ensure compliance with all applicable standards.

11. *Provides Adequate Road Systems*

As a result of the Traffic Impact Analysis (TIA), the following improvements are recommended to address impacts related to the proposed charter school:

- Construct one-half the full width of John Paine Road in accordance with City of Denton standards as a minimum two-lane roadway.
- Turn Lane Improvements (to be completed before school opening):
 - Provide a northbound right-turn lane on John Paine Road at Vintage Boulevard
 - Provide southbound right-turn lanes at both driveways on John Paine Road
 - Provide an eastbound right-turn lane on Vintage Boulevard at John Paine Road.
 - Provide a northbound left-turn lane on John Paine Road at Vintage Boulevard.
 - Provide a westbound left-turn lane on Vintage Boulevard at John Paine Road (median opening).
- Access Management
 - Install signage at the shared driveway connection to Vintage Boulevard stating “No Student Drop-Off and Pick-Up” to restrict ingress/egress during school drop-off and pick-up periods

Any future expansions or substantial increase in student population may require review of a new TIA and additional improvements.

12. *Provides Adequate Public Services and Facilities*

This proposed PD Amendment will not negatively affect public services and facilities. When the site is platted, the new development must connect with existing utilities and comply with all applicable standards to ensure adequate public services and facilities are constructed.

13. *Rational Phasing Plan*

A phasing plan timeline was not provided with the request; however, the Development Plan depicts the intent for an expansion to include a high school facility, athletic field, and associated parking (shown as grayed-out on the Development Plan). Prior to construction of these expansions, the property would require rezoning to an established zoning district or staff will review the proposal to determine if it will require a Minor or Major Planned Development Amendment pursuant to DDC Subsection 2.7.3C.6.

B. Section 2.7.3.E of the DDC states that an application for a rezoning to PD district may be approved based on the following conditions:

1. *Complies with the goals of the Comprehensive Plan.*

As was indicated above, the proposal is consistent with the overall goals and policies related to the Future Land Use, Economic Vitality, and Mobility in the Comprehensive Plan.

2. *Complies with the goals of relevant Area Plans.*

There are no adopted Area Plans which impact the subject property.

3. *Complies with this DDC, except where modifications are expressly authorized through the PD zoning document, the PD development standards document, and in the PD development plan map.*

The proposed PD Regulations indicate an intent to comply with the DDC and the development standards outlined in Ordinance 91-034.

4. *Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in the PD district.*

As stated in the Agenda Information Sheet, the proposed use with a Development Plan was approved by City Council on September 15, 2020. At that time, the proposed charter school occupied the subject property and the 4.4 acres adjacent to the northern boundary. Since then, the design has changed to remove the high school and create a more compact campus, necessitating the Planned Development Amendment.

The modified Development Plan depicts building orientation, athletic/recreation facilities, pedestrian connections, parking, and vehicular maneuvering designed to serve the school's student population and accommodate peak demands for drop-off and pick-up queuing. The proposal is consistent with both the design standards established by PD-139 and current landscaping and site design standards.

Finally, the proposed charter school will provide an additional educational option for families, particularly those in southwest Denton. Students from the surrounding neighborhoods must attend either EP Rayzor Elementary School (approximately 8-mile drive) or Borman Elementary School (approximately 2.5-mile drive). Middle school students attend either Harpool Middle School (approximately 6.5-mile drive) or McMath Middle School (approximately 4.3-mile drive). If approved, the development would offer a centrally located alternative.

5. *In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding areas.*

No residential development is proposed as part of the PD amendment.

6. *In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended.*

The subject site is situated in southwest Denton, in an area that is developing with several projects: Landmark (Hunter Ranch), Cole Ranch, Sagebrook, and Cambridge Brook. At build-out, these neighborhoods will bring several hundred

new dwellings to the general area. Additionally, the City owns two nearby parcels intended for future park development which will support the growing residential population. The proposed charter school adds a corresponding component to the general area, including an educational facility to the residential and recreational uses. Schools are often found within or on the edges of neighborhoods, and the proposal would be consistent with this typical development pattern.

As proposed, the charter school is intended to accommodate approximately 728 students (kindergarten through 8th grade), and includes a classroom building, a looped drive aisle, 130 parking spaces, three access points, an athletic field, and playground. The site is oriented away from I35W, toward the future John Paine Road, focusing the proposal's main entrance to the nearby growing residential areas. Furthermore, the intensity of the development is limited, with large open areas for recreation and 28-foot maximum building heights.

7. *The provisions of public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD district.*

Schools

The proposal will not generate students but will provide an enlarged campus for an existing charter school in the community, enhancing the school options available for area residents.

Nearest Fire Station

The closest fire station is at 4201 Vintage Boulevard, which is adjacent to the subject property. Thus, the proposal is within the eight minutes or less response time boundary.

Water and Wastewater

The development of the site will require connection to the existing water line along Vintage Boulevard. Sanitary Sewer will connect to an existing line southeast of the site. No utility capacity issues have been identified that would affect the proposed development.

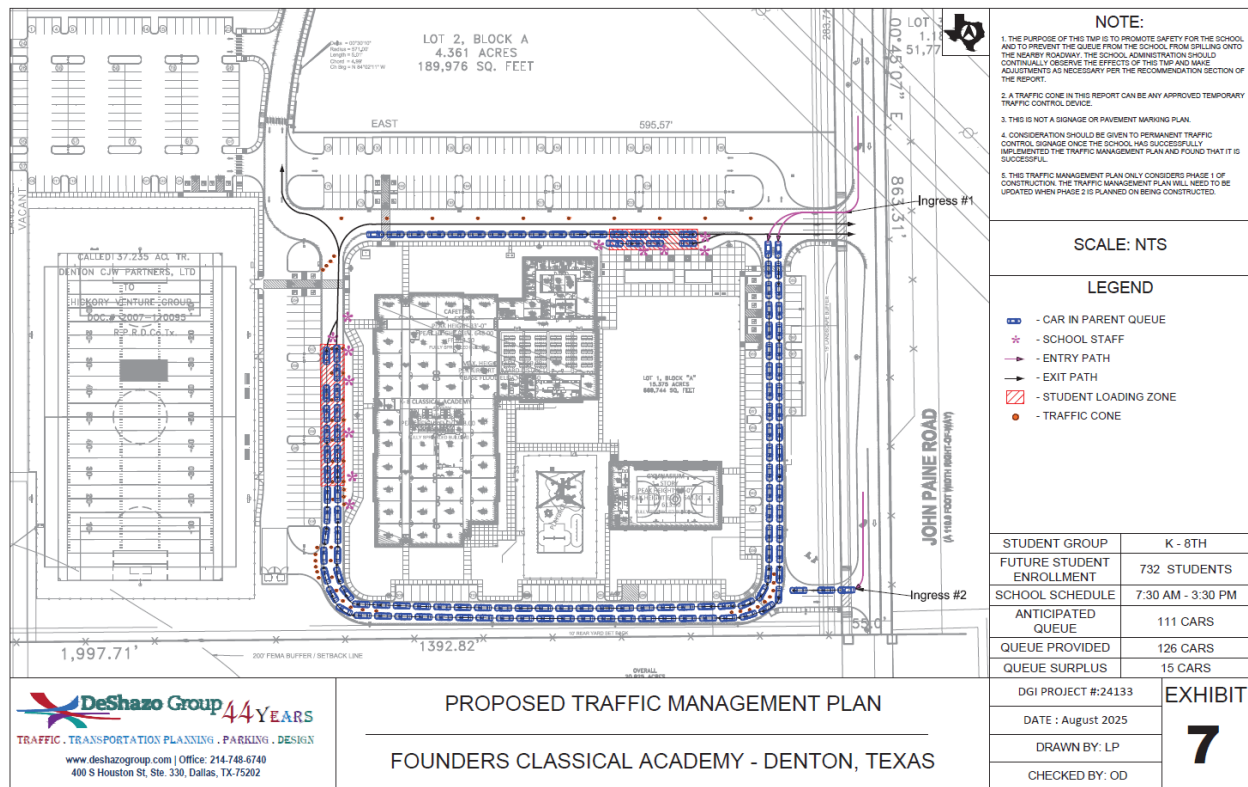
Streets

Transportation related to the proposal

A Traffic Impact Analysis (TIA) has been submitted and approved. According to the ITE Trip Generation Manual, the proposed use will generate 2,992 weekday trips, with 767 total morning peak hour trips and 189 evening peak hour trips.

As part of the TIA, the applicant has included a traffic management plan which evaluates the functioning of the site. Their analysis includes the following assumptions:

- 728 total students
- Even student distribution across all grades
- 30% of students will stay for after-school activities
- The maximum queue is expected to be 111 cars at 3:00 pm.
- No pick-up or drop-off traffic will be permitted to use the north driveway—the onsite queue will be accessed from the east driveways connecting to John Paine Road:



As shown above on the Traffic Management Plan above, the primary ingress and egress driveways connect to John Paine Road, which will include dedicated right turn lanes at each driveway and dedicated left and right turn lanes at the Vintage Boulevard intersection. Additionally, the proposal anticipates that the greater vehicle queueing will occur during the afternoon pick-up time, necessitating onsite capacity to accommodate the maximum number of cars (111). In total, the queue's length provides capacity for 126 vehicles.

Roadway Impact Fees

Roadway impact fees, paid at the time of development, are determined using a proportionality calculation based on the projected vehicle trips. These fees are used to make roadway system improvements related to the Mobility Plan.

Access and Perimeter Street Improvements

Vintage Boulevard has recently been expanded to a divided four-lane section. Pedestrian improvements include a 10-foot shared-use trail along the southern portion of the right-of-way.

As part of development of the site, 55-feet of right-of-way must be dedicated for the future John Paine Road, a north/south collector which will connect Vintage Boulevard to Crawford Road. Additionally, two travel lanes and a 10-foot sidepath must be constructed to provide access and onsite pedestrian connections.

Parks

Currently, the proposal is not within a 10-Minute Walk to a Park, but an onsite athletic facility and playground will provide active recreation opportunities for students. The subject property is about a half-mile from two undeveloped parks: Vintage Park and Southwest Park, which is intended to provide active recreation with ballfields and playgrounds (the timeline for final build-out has not been determined). With the continued development of the John Paine Road and the

City's park facilities, additional active recreation opportunities will be available in the future.

8. *The conditions and/or restrictions imposed by the PD District are necessary and sufficient to address any significantly adverse impacts to surrounding properties or the neighborhood.*

Since schools are often found in proximity to both residential and commercial areas, Staff does not anticipate any significant adverse impacts to surrounding properties or neighborhood. However, given the number of peak hour trips, the proposed transportation improvements discussed above will help mitigate potential traffic delays by ensuring adequate onsite queueing and additional turn lanes.