

Planning Staff Analysis

PP25-0002 / Churchill East

Planning & Zoning Commission

REQUEST:

Preliminary Plat for an approximately 269-acre site

APPLICANT:

Kimley-Horn & Associates, on behalf of TCCI Churchill, LLC

RECOMMENDATION:

Staff recommends denial of this Preliminary Plat as it does not meet the established approval criteria; however, staff has no objection to the requested extension, which could be granted to May 14, 2025

Preliminary Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>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.</p> <p>Findings:</p> <div><p>The Preliminary Plat does not meet all review criteria, as detailed in the following items as required by the Preliminary Plat Checklist (PPC) authorized per Denton Development Code Section 2.4.4B:</p><ol style="list-style-type: none">1. Label easement area easement in acres. Label as to be dedicated “by this plat” or separate instrument. Add easement note. (PPC 3.4).2. Add information to legend. Move table to show missing values. (PPC 2.10)3. Add labels to HOA lots that continue. (PPC 2.1).4. Ensure legal description matches plat graphic. (PPC 2.7)5. Dimension and centerline all ROW. Indicate the centerline of T N Skiles Rd. and provide the ROW width from the centerline to the property line showing a 110’ and 65’ width. (PPC 3.8)6. Label minimum finish floor elevation for each pad site on any lot adjacent to the floodplain or within the 200’ permit buffer around the floodplain. (PPC 3.7)7. Remove note 13 to n/a. Revise notary block. (PPC 5.8)8. Show appropriate ROW dedication. (PPC 3.1)9. Additional easement width may be required. (PPC 4.4)10. Label floodplain limits and FIRM. (PPC 3.6)11. Include temporary entry easements. (PPC 6.2)</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. 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. Findings: <div>The Preliminary Plat does not meet the review criteria as described below.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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. Findings: <div>There is no conflict.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals				
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. Findings: <div>The proposed development requires revisions made to the Preliminary Plat to be consistent with the approved development agreement for the Ponder Farms Municipal Utility District/Churchill East.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Comprehensive Plan. Findings: <div></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
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. Findings: <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The preliminary plat does not meet all review criteria, as detailed in the following items as required by the DDC:</p> <ol style="list-style-type: none"> 1. Per DDC 8.3.2.C.4, no Plat shall be allowed to eliminate or alter an access road or easement depicted on a Gas Well Development Plat or Gas Well Development Site Plan, unless written consent of the gas well Operator is obtained and a separate access road or easement on the Plat is provided for access to a Drilling and Production Site. Show new access easement to TN Skiles to the south of the well. 2. Truck traffic related to gas well drilling and production shall not be allowed to use a plat's neighborhood streets to access a gas well drilling and production site. (8.3.2C.4). Show easement to TN Skiles. 3. For residential lots located within 1,000 feet of a gas well drilling and production site, add notification requirements (8.3.5). The asterisk should only be added to lots within 1,000 feet of the gas well. 4. The land area contained in the proposed plat is currently located within the boundary of an existing Gas Well Development Plat (GWDP12-0008), and proposed gas well plat (GWDP25-0001). The gas well operator, BKV Barnett, must be included in the discussion to plat the property. Submit surface use agreement. 5. Revise water line from 16" to 20". (DDC 7.6.7) 6. Revise storm line to 21" and 30" to 16". (DCM Table 4.12-A) </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The Preliminary Plat was submitted at an adequate level of detail, but staff requests additional revisions to the plat as noted herein to ensure compliance.</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
5. Compliance with Other Applicable Regulations				
<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The MUD requires compliance will all flood protection standards as enforced within ETJ Division 1 and a downstream assessment, and conditional letter of map revision (CLOMR), if needed, must be submitted for review and approval by the City prior to submission of the engineering plans.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The proposed development requires revisions made to the Preliminary Plat to be consistent with the approved development agreement for the Ponder Farms Municipal Utility District.</p> <ol style="list-style-type: none"> 1. Per the Development Agreement, 7.1(a)(viii), all single family lots shall be setback a minimum of 300 feet from gas wells, measured in a straight line from the well head to the nearest single family property line. Remove all lots that are within 300 feet of the gas well until they have been plugged and documentation submitted to the city. 2. Submit phasing plan and include a phasing schedule that includes the acreage, number of lots, and approximate completion date. 3. Add a table to the plat that demonstrates compliance with the minimum lot size requirements. (Exhibit D) </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
7. Minimizes Adverse Environmental Impacts				
<p>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.</p> <p>Findings:</p> <div> <p>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 checked="" type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
<p>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.</p> <p>Findings:</p> <div> <p>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 checked="" type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <div> <p>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 checked="" type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				
<p>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.</p> <p>Findings:</p> <div> <p>The proposed Preliminary Plat is compliant with all City regulations.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
11. Provides Adequate Road Systems				
<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 style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The proposed development is overall consistent with the approved Municipal Utility District (MUD) Development Agreement; however staff has requested additional detail.</p> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
<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 style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The development will be served by City of Denton water and wastewater.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Rational Phasing Plan				
<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 style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The phasing plan has not been submitted, however additional detail has been requested.</p> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Preliminary Plat Review Approval Criteria (DDC Section 2.6.3)		Applicability		
		Met	Not Met	N/A
<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The Preliminary Plat meets the above approval criteria.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Plat Review Approval Criteria (DDC Section 2.6.3)		Applicability		
		Met	Not Met	N/A
15. Provides evidence of public water and sewer system connections. Findings: <div>This development will be served by City of Denton Water and Wastewater.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Identifies and adequately mitigates known natural hazard areas. Findings: <div>The proposed development must comply with all applicable standards and specifications within the Development Agreement.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Proposes reasonable project phasing in terms of infrastructure capacity. <div>Additional information on the phasing plan has been requested.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>