

Planning Staff Analysis
FP22-0023/ Robson Ranch Unit 27
City Council District #4
Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 44.903-acre site

APPLICANT:

Brennan Plemons with Jones & Carter, Inc on behalf of Robson Denton Development, LP

RECOMMENDATION:

Staff recommends denial of this plat as does not meet the established approval criteria for Final Plats, as shown in the following table:

Final 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 style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all review criteria, as detailed in Approval Criteria 4 and 10 below and the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p> <ol style="list-style-type: none"> 1. Bold the property boundaries/Street boundaries. (FPC 1.8) 2. Provide the full ROW width underneath the street label within parentheses. (FPC 2.8) 3. Show, label, and dimension ROW corner clip dedications along Ed Robson Boulevard for future Drinkwater Drive and Goodland Drive. Provide line and curve data for dedications. (FPC 2.10) 4. Provide a legend for all abbreviations, graphic symbols, and line types used. Include definitions for E.E. and P.S.E. in legend. (FPC 1.10) 5. Label type and size of boundary monuments and label as found or set for all property corners, points of intersection and points of curvature/tangency. Provide basic monumentation in order to determine location of public improvements. (FPC 1.11) 6. Include specific dedication language for floodway, drainage and detention easements. Restrictions of easements shall be described on the final plat and approved by the City. (FPC5.2 and DDC7.5.3.N) 7. Provide Legend for all lines, shapes and symbols. (FPC 1.10) 8. Show, label, and dimension all existing and proposed easements. Tie all dedicated by plat or separate instrument to property corners. (FPC 2.4) 9. Provide monumentation certification. (FPC 1.11) </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>10. Revise Owner’s dedication statement to include ROW and easement dedications and other land rights so as to create no conflicts or issues for staff or other public interests. The owner’s dedication discusses a drainage easement within the limits of this addition; however, no drainage easements are shown on the plat. (CITY BP)</p> <p>11. Label line and curve data to match legal description. Legal description and plat do not match on middle west property line. Revise. (FPC 2.2)</p> <p>12. Label and dimension all lots and blocks. Include the areas expressed in square feet and acres. (FPC 2.3)</p> <p>13. Show, label, and dimension all existing and proposed easements. Add minimum and maximum widths to all variable-width easements. Tie all proposed easements dedicated by plat of separate instrument to property corners so that they can be recreated in the field by others. Provide line and curve data for easement boundaries and tie down easements. Provide recording information for existing easements. (FPC 2.4)</p> <p>14. Label minimum finish floor elevation for each pad site on any lot adjacent to (and within 200 feet of) a floodplain. (Per 7.5.I.3 of the City Development Code, the minimum finished floor elevations, the datum used, and the source of the elevation information shall be labeled on the final plat where required.)</p> <p>15. Vertical datum used for the minimum finished floor elevations shall be the same as the datum used to establish 100-year base flood elevations.) (FPC2.6)</p> <p>16. Label the exact location, dimension, and centerline (with dimension from centerline to edge of existing or proposed ROW) of existing public ROW intersecting or contiguous with boundary or forming such boundary. Display the centerline of proposed ROW with (full width) dimension (and) from centerline to the edge of proposed ROW. Provide (and/or correct) dimensions and centerline references for all existing and proposed right of way. (FPC2.8)</p> <p>17. Update approval block date to 2022 FPC 4.6</p> <p>18. Modify the subdivision boundary line so that it is heavier--hard to distinguish it from the lot lines, FCP 2.2</p> <p>19. Dimension the center line of all streets, FPC 2.8</p> <p>20. Label all lines/easements on the drawing. f this is a proposed building setback, remove--not permitted on a final plat, FPC 2.4.</p> <p>21. Some lot labels are lighter than others. Please revise to be consistent and legible. FPC 2.3</p>			
<p>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.</p> <p>Findings:</p> <div data-bbox="253 1646 1040 1818" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all review criteria, as detailed in Approval Criteria 4 and 10 below.</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
<p>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:</p> <div data-bbox="253 300 1040 447" style="border: 1px solid black; height: 70px; width: 100%;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals			
<p>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:</p> <div data-bbox="253 722 1040 869" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is consistent with the Planned Development Detailed Plan, the approved Preliminary Plat (PP21-0020) and Civil Engineering Plans (CEP22-0014).</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings:</p> <div data-bbox="253 1045 1040 1297" style="border: 1px solid black; padding: 5px;"> <p>Denton 2040 Comprehensive Plan Future Land Use Map designates the subject property as Low Density residential, which is intended for single-family development, 1 to 4 dwelling units per acre. The proposal is consistent with the Comprehensive Plan.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings:</p> <div data-bbox="253 1436 1040 1562" style="border: 1px solid black; height: 60px; width: 100%;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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:</p> <div data-bbox="253 1738 1040 1898" style="border: 1px solid black; height: 76px; width: 100%;"></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			
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <p>1. Clarify if there are any residential lots within 1000 feet of an approved gas well site. It appears that Lots 67-69, Block A and some lots in Block F may be within 1,000 feet.</p> <p style="padding-left: 20px;">a. If there are residential lots within 1000 feet of a gas well site, then mark each lot with an * and add the standard gas well note to satisfy the requirements of DDC Section 8.3.5A&B.</p> <p>2. If there are any residential lots within 1,000 feet of a gas well site, the following well disclosure notifications are required to be completed and copies provided to you project manager prior to filing of a final plat for Robson Ranch – Unit 27 per DDC Section 8.3.5C&D:</p> <p style="padding-left: 20px;">a. A provision shall be included in the Declaration of Restrictive Covenants that advises lot purchasers of the existence of producing wells on the Drilling and Production Site(s), the possibility that new wells may be drilled and fracture stimulated on the Drilling and Production Site(s), as well as the possibility that gas wells on the Drilling and Production Site(s) may be re-drilled and/or re-fracture stimulated in the future.</p> <p style="padding-left: 20px;">b. A Notice document that advises lot purchasers of the existence of producing wells on the Drilling and Production Site(s), the possibility that new wells may be drilled and fracture stimulated on the Drilling and Production Site(s), as well as the possibility that gas wells on the Drilling and Production Site(s) may be re-drilled and/or re-fracture stimulated in the future, shall be recorded with the Denton County Clerk's Office.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The subject submittal is a Final Plat, and it was reviewed based on the checklist and requirements for a final plat.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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. Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat complies with all other 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
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 data-bbox="253 367 1040 583" style="border: 1px solid black; height: 100px; width: 100%;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 data-bbox="253 856 1040 1073" style="border: 1px solid black; padding: 5px;"> <p>There are no environmentally sensitive areas (ESAs) on this property.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 data-bbox="253 1312 1040 1493" style="border: 1px solid black; padding: 5px;"> <p>This final plat is not expected to cause any significant adverse impacts on surrounding properties.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 data-bbox="253 1665 1040 1866" style="border: 1px solid black; padding: 5px;"> <p>This development is not expected to result in significant adverse fiscal impacts on the city.</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
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 style="border: 1px solid black; padding: 5px;"> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. A maintenance easement shall be granted to the city and shall grant the right but not the obligation to maintain and construct drainage facilities if the stream or drainage way is not being properly maintained. The maintenance entity's by-laws and covenants filed of record shall provide for ongoing maintenance. The easement shall authorize a lien against individual abutting lots in favor of the city to secure the payment to the city for any expenses incurred by the city in the event of default or to secure payment for any expenses incurred if the maintenance entity is not properly maintaining the stream or drainage way. 2. Streams and drainage ways may be retained as a part of a nonresidential lot, and it shall be the property owner's responsibility to maintain this area as set forth by easement, except as otherwise provided. (DDC7.5.3.I.2.a) 3. Adequate floodplain and drainage easements shall be required that give the city the right but not the obligation to maintain and construct drainage facilities if, in the city's sole opinion, the maintenance entity is not properly maintaining the stream or drainage way. (DDC7.5.3.I.2.a) 4. Provide project narrative (DDC8.4.11) 5. Adequate floodplain and drainage easements shall be required that give the city the right but not the obligation to maintain and construct drainage facilities if, in the city's sole opinion, the maintenance entity is not properly maintaining the stream or drainage way. (DDC7.5.3.I.2.a) 6. No preliminary or final plat application shall be approved unless the applicant demonstrates that there will be an adequate sanitary sewer system to serve the subdivision concurrent with development. The applicant shall demonstrate that the sanitary sewer system serving the development will be adequate at the time of preliminary plat approval for development within the city limits. Provide a note on the final plat indicating that 10" public sanitary sewer is to be constructed on E. Sycamore St to serve this development. (DDC8.4.11) 7. All utility easements shall be a minimum of 16 feet, unless special circumstances warrant additional or reduced easements which can be approved by the City Engineer, in consultation with the Directors of Water and Wastewater Utilities. The general criteria to define minimum easement widths are listed in Table 7.B: Minimum Easement Widths of the DDC. (DDC7.6.7.A) </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
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; width: fit-content;"> <p>There is adequate road capacity to accommodate the proposed use.</p> </div>	<input checked="" type="checkbox"/>	<input 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; width: fit-content;"> <p>Current capacity can accommodate the proposed development.</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; width: fit-content;"> <p>Phasing for the development provides for adequate infrastructure.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.			
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The final plat conforms to the preliminary plat. There were no conditions of approval for the preliminary plat.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
<p>15. Whether the development will substantially comply with all requirements of this DDC. Findings:</p> <div data-bbox="204 300 992 422" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is subject to the required corrections outlined herein.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings:</p> <div data-bbox="204 590 992 737" style="border: 1px solid black; padding: 5px;"> <p>The proposed development will comply with all applicable standards and specifications adopted by the city which are applicable to a Final Plat.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>