

Planning Staff Analysis

PP21-0034 / Cole Ranch Phase 1 Addition

City Council District #4

Planning & Zoning Commission

REQUEST:

Preliminary Plat for a 720.141-acre site.

APPLICANT:

Brighton Yau with LJA Engineering, Inc. on behalf of The Cole Ranch Company, LP

RECOMMENDATION:

Staff recommends denial of this Preliminary Plat as it does not 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
1. Generally			
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. Findings: <div>The preliminary plat does not comply with all general review criteria, as detailed below and noted in Sections 4 and 10: 1. Revise or clarify lot width of Block 14, Lots 2 & 4. (PPC 2.1)</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 complies with all additional review criteria as noted below.</div>	<input checked="" type="checkbox"/>	<input 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			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The subject property is zoned Cole Ranch as adopted by Ordinance MPC19-0001b. The Preliminary Plat is consistent with the zoning.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans</p> <p>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Comprehensive Plan designates the subject property as a mix of Low Residential, Neighborhood Mixed-Use, Community Mixed-Use, and Business Innovation which is consistent with the multiple uses proposed as part of the Cole Ranch MPC.</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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The overall goals of the Comprehensive Plan are met with this use.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. The proposed preliminary plat is not compliant with the City regulations, as noted below:</p> <ol style="list-style-type: none"> 1. Per Section 7.7.4.D of the DDC and MPC19-0001b, no permits for construction activity shall be issued for this property until required tree protection measures are in place. <ol style="list-style-type: none"> a. Compliance with the tree preservation minimum requirements in Section 7.7.4 of the MPC ordinance cannot be verified with the data given. Download and apply the new City of Denton tree worksheets to plans. </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. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The Preliminary Plat was submitted and reviewed at the appropriate level of detail.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
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: <div>The preliminary plat complies with all other applicable regulations.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
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. Findings: <div>The preliminary plat complies with the Cole Ranch Operating Agreement.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
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. Findings: <div>The proposed preliminary plat is not expected to have adverse impacts on the natural environment.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
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. Findings: <div>The proposed development is not expected to have an adverse impact on surrounding properties.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The proposed development is not expected to result in any significant adverse fiscal impacts on the city. Any improvements associated with this development will be the responsibility of the developer and will be determined prior to final plat. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				
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. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B and DME Electric Service Standards. The proposed preliminary plat is not compliant with all the following: <ol style="list-style-type: none"> 1. The 500-ft Reverse Setback required by Ordinance MPC19-0001b Section 6.2.2 appears to be accurately shown for the majority of the well pads within and around the subject property. However, the plat reflects the pad site for the Cole Trusts 576 A 23 well being removed and residential lots being platted over the area. City records contain no indication that this well has been plugged. Until such time as the well is plugged in accordance with the standards of Ordinance MPC19-0001b Section 6.3.2D.4, the well is considered to be active and the setbacks in Section 6.2.2 apply. Modify Note 13 on Preliminary Plat to reflect the above requirements. 2. Establish a front building setback on Block 23, Lots 3&4; Block 32, Lots 1-10; Block 36, Lots 3-9; Block 38, Lots 1-6; Block 39, Lots 1-10; Block 44, Lots 1-4; Block 46, Lots 1-19; Block 48, Lots 1-10; Block 53, Lots 1-16; Block 55, Lots 3-4; Block 60, Lots 1-17. Add note to Preliminary Plat to address instances where front yard shall be oriented toward an HOA Open space lot (MPC19-0001b). </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
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. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Adequate road capacity will be constructed internally and externally to the site to provide adequate access for all emergency services. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<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>Public services and facilities will be established and expanded to serve this development.</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>General phasing boundaries were approved as part of the Cole Ranch MPC ordinance. Detailed phasing plans will be provided with each final plat submitted.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preliminary Plat Review Applicability Criteria (DDC Section 2.6.3.D)		Applicability		
		Met	Not Met	N/A
<p>14. Whether the preliminary plat 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>The Preliminary Plat reflects the required services to serve this development and limits disturbances to community resources.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>15. Whether the preliminary plat provides evidence of public water and sewer system connections.</p> <p>Findings:</p> <div>Water and sewer are being extended to the property by the developer.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Whether the preliminary plat identifies and adequately mitigates known natural hazard areas.</p> <p>Findings:</p> <div>The subject property does not contain any known natural hazard areas.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>17. Whether the preliminary plat proposes reasonable project phasing in terms of infrastructure capacity.</p> <p>Findings:</p>		<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
	General phasing boundaries were approved as part of the Cole Ranch MPC ordinance. Infrastructure will be extended to serve each phase in accordance with the MPC phasing plan and Operating Agreement.			