

# Planning Staff Analysis

FP24-0011 / Stella Hills Addition

City Council District #1

Planning & Zoning Commission

## REQUEST:

Final plat for approximately 48.7617 acres of land.

## APPLICANT:

Sean Faulkner of Foresite Group, LLC

## RECOMMENDATION:

Staff recommends denial of this Final Plat as it does not meet the established approval criteria.

## Final 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>			
<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> <b>Findings:</b> <div><p>The Final Plat does not meet all review criteria, as detailed in 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"><li>1. Add City-assigned project number (FP24-0011) to all submittal documents. (FPC).</li><li>2. Checklist notates several required items as “N/A” that are required. Specifically, the gas well section. Revise and resubmit. (FPC Checklist 1.4)</li><li>3. Provide a copy of the current title policy (FPC 1.5).</li><li>4. Add phone number for owner/developer (FP Checklist 2.4).</li><li>5. Include all line types and abbreviations used on face of plans in the legend (FPC 2.12).</li><li>6. 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. (FPC 2.13).</li><li>7. Depict all overhead electric lines (FPC 2.19).</li><li>8. Show, label, and dimension all existing and proposed easements. (FPC 3.6).</li><li>9. Provide a copy of the computer-generated metes and bounds reports (FPC 5.2).</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
	10. Identify recording information for all existing easements (FPC 3.6). 11. Verify dates in surveyor certificate are accurate. Revise where needed. (FPC 5.7) 12. Display the location of the centerline of creeks and drainage ways tied to dimensions in feet and hundredths of feet with bearings and angles. No unplatted remainder will be allowed between property boundaries and centerlines of creeks. (FPC 3.14) 13. Include specific dedication language for access, utility, and/or floodway/plain and drainage and/or detention easements (FPC 6.2) 14. Provide gas well disclosures as required by DDC 8.3.5 (FP Checklist 6.6.b) 15. Label minimum finish floor elevation for each pad site on any lot adjacent to (and within 200 feet of) a floodplain. (FPC 3.10) 16. Use Park Dedication language as provided in Final Plat Checklist 6.5. 17. Limit dedication and plat notes to those applicable to the plat. 6.2).				
<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> <b>Findings:</b> <div> The Final Plat does not meet all review criteria in Section 2.6.4 as described below:   1. Civil Engineering Plan approval is required prior to recommending approval of the Final Plat. </div>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<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> <b>Findings:</b> <div> There is no conflict. </div>			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Prior Approvals</b>					
<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> <b>Findings:</b> <div> There are no prior approvals. </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
<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> <b>Findings:</b> <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"/>
<b>b. The decision-making authority shall weigh competing plan goals, policies, and strategies</b> <b>Findings:</b> <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>c. 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.</b> <b>Findings:</b> <div>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. Compliance with this DDC</b>				
<b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b> <b>Findings:</b> <div>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. As detailed herein, the proposed Final Plat does not comply with this criterion.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b> <b>Findings:</b> <div>As detailed herein, additional detail regarding some of the easements is required.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>				
<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</b>		<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
<p><b>includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The proposed Final Plat complies with all other applicable city regulations.</p> </div>				
<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 style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>No interlocal or development agreements are applicable to this project.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <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"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>				
<p><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><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <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"/>
<b>9. Minimizes Adverse Fiscal Impacts</b>				
<p><b>a. The proposed development should not result in significant adverse fiscal impacts on the city.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <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"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>10. Compliance with Utility, Service, and Improvement Standards</b>				
<p><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><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The proposed Final Plat does not comply with all City regulations as described herein. </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>11. Provides Adequate Road Systems</b>				
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Adequate road capacity exists external to the site. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. Provides Adequate Public Services and Facilities</b>				
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> There are adequate facilities to serve the development. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. Rational Phasing Plan</b>				
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The Final Plat includes all required improvements for Phase 1 of the development. </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
<b>13. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</b> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, preliminary plats are no longer required. A preliminary plat was not prepared for this project.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>14. Whether the development will substantially comply with all requirements of this DDC.</b> <b>Findings:</b> <div> <p>This Final Plat does not meet all review criteria, as detailed in the following items as required by the Denton Development Code:</p> <ol style="list-style-type: none"> <li>1. Include a plat note regarding required inches of DBH of tree preservation, including all language required by DDC 7.7.4.E.7.</li> <li>2. All new electrical easements are required to be designed in accordance with DDC Sections 7.13.6.</li> <li>3. Utilities in a development shall be provided in street rights-of-way except for special circumstances approved by the City Engineer, in consultation with the Directors of Water and Wastewater Utilities. (DDC 7.6.7)</li> <li>4. Proposed public water or sewer mains intended to be aligned alongside yards shall be contained with dedicated open space lots, with overlapping public utility easements, and there shall be a note on the plat stating that these lots shall be owned and maintained by the property owner's association. (DDC 7.6.7C).</li> </ol> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>15. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</b> <b>Findings:</b> <div>The Final Plat does not comply with all applicable technical standards and specifications as detailed herein.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>