



## Legislation Text

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**File #:** AESA16-0002, **Version:** 1

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### **Planning Report**

**AESA16-0002/Ryan Meadows Phase 2**

**City Council District 4**

**Planning & Zoning Commission**

**October 26, 2016**

### **REQUEST:**

Hold a public hearing and consider making a recommendation to City Council regarding a request for an Alternative Environmentally Sensitive Area for the Ryan Meadows Addition, Phase 2. The approximately 37.35 acre subject property is generally located on the south side of Ryan Road, approximately 2,000 feet east of Country Club Road. (AESA16-0002, Ryan Meadows Phase 2, Mike Bell)

### **OWNER/APPLICANT:**

DR Horton, Inc.

### **BACKGROUND:**

Ryan Meadows is a proposed single-family subdivision located on a total of approximately 75 acres on the south side of Ryan Road, to the west and south of Wayne Stuart Ryan Elementary School. A Final Plat for Phase 1 of the development (FP14-0008) was approved by the Planning and Zoning Commission on August 5<sup>th</sup>, 2015. As part of the platting of Phase 2 (FP16-0010), the applicant is required to extend Creekdale Drive, a collector street with 65 feet of right-of-way, to the southern boundary of the property. The conceptual alignment of Creekdale Drive was established by the City of Denton Mobility Plan to serve as an east-west Collector Street running parallel to Ryan Road and Hickory Creek Road, between Teasley Lane (FM 2181) and the Kansas City Southern Railroad. Before intersecting with the railroad, the western portion of the alignment curves north to Ryan Road, bisecting the subject property.

The proposed Creekdale alignment, however, encroaches into Environmentally Sensitive Areas (ESA) in the southern portion of Ryan Meadows. Encroachment into these areas, even for a street required by the City of Denton Mobility Plan, is not exempt from the ESA regulations in Subchapter 17 of the Denton Development Code (DDC) and requires approval of an Alternative ESA Plan by the City Council.

A field assessment conducted in 2014 confirmed the presence of the following ESA's on the southern portion of Ryan Meadows:

- **Riparian Buffer** - The field assessment scored the Riparian Buffer as being of fair quality with vegetation extending approximately 200 feet across the channel; though only the internal 100 feet of vegetation is protected under the ESA regulations. Varieties of elms, hackberry, and pecan were identified as the main tree species present.
- **Undeveloped Floodplain** - The Undeveloped Floodplain is narrow, mostly nested inside the Riparian buffer. Dominant plant species include Hackberry, Cedar elm, American elm, Virginia creeper, poison ivy, and greenbrier.

- **Water-Related** - The Water-related habitat is an inline pond between riparian buffers. Dominant plant species include black willow, cottonwood, swamp smartweed, ragweed, and hedge parsley.

The fill and regrading necessary for the extension of Creekdale Drive would encroach into all three types of protected areas. The total area to be impacted would be approximately 0.45 acres; 0.36 acres of Undeveloped Floodplain, 0.39 acres of Riparian Buffer, and 0.07 acres of Water-related Habitat.

Potential mitigation for the encroachment into the ESA areas is limited, as a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA for the floodplain. Any planting of new trees within areas covered by the CLOMR would cause the parameters approved on the CLOMR to be invalid, forcing the applicant to apply for a new CLOMR. For that reason, the applicant proposes to mitigate the encroachment of Creekdale Drive by the planting of 25, 3-inch caliper trees along the outer edges of the floodplain resulting in a wider buffer than what would be protected under the current ESA regulations. The applicant also offers as mitigation revegetating all disturbed areas with native vegetation.

### **CONSIDERATIONS:**

1. The applicant is proposing to disturb approximately 0.45 acres of ESA within the Ryan Meadows subdivision for the purposes of extending a collector street required by the City of Denton Mobility Plan. As mitigation, the applicant will plant 25 trees and re-vegetate the disturbed areas using native plants.
2. The proposed disturbance will have no negative impact on surrounding properties.
3. The Environmental Services Division has reviewed the proposed Alternative ESA Plan and recommends approval of the request with conditions regarding the total disturbance acreage allowed and the type of mitigation permitted.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the request, subject to the following conditions:

1. The total disturbed area shall not exceed 0.45 acres and areas to be disturbed shall be consistent with the Alternative ESA Plan.
2. Twenty-five trees, of three inches diameter at planting, must be planted to mitigate for the removal of the ESA's. Location for the tree planting should be consistent with the Alternative ESA Plan.
3. All disturbed areas shall be re-vegetated using native plants.

### **OPTIONS:**

1. Recommend approval as submitted.
2. Recommend approval subject to conditions.
3. Recommend denial.
4. Table the item.

### **PUBLIC NOTIFICATION:**

To comply with the public hearing notice requirements, seven notices were sent to property owners within 200 feet of the subject property, four courtesy notices were sent to physical addresses within 500 feet of the subject property, a notice was published in the Denton Record Chronicle, and signs were placed on the property. The applicant elected not to hold a neighborhood meeting.

### **PROJECT TIMELINE:**

Application Received: July 5, 2016

1 <sup>st</sup> Submittal Sent to DRC Members:	July 7, 2016
Comments Released to Applicant:	July 21, 2016
Business Days under DRC Review:	10
Business Day out to Applicant:	0
Total Business Days:	10

**EXHIBITS:**

- Location Map
- Ryan Meadows Phasing Plan
- Mobility Plan & ESA Map - Regional Scale
- Mobility Plan & ESA - Subject Property
- Alternative ESA Plan
- Applicant Narrative
- Notification Map & Responses

Respectfully submitted:  
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