Planning Staff Analysis

FP24-0006c / Jefferson Bonnie Brae Addition
City Council District #3
Planning & Zoning Commission

REQUEST:
Final plat for approximately 31.51 acres of land.

APPLICANT:
Kimley-Horn & Associates, on behalf of JPI Real Estate Acquisitions, 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**
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:** The Final Plat meets all review criteria, as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B.	☒	☐	☐
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:** 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.	☐	☒	☐
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.	☐	☐	☒

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
Findings:			
There is no conflict.			
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:** There are no prior approvals.	☐	☐	☒
3. Consistent with Comprehensive Plan and Other Applicable Plans **The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.** **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
b. **The decision-making authority shall weigh competing plan goals, policies, and strategies** **Findings:** There are no competing plan goals, policies, and strategies for this site.	☐	☐	☒
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.** **Findings:** The overall goals of the Comprehensive Plan are met with the proposed Final Plat.	☐	☐	☒
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:** As detailed herein, the proposed Final Plat complies with this criterion.	☒	☐	☐

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:** The subject submittal is a Final Plat, and it was reviewed based on the checklist and requirements for a final plat.	☒	☐	☐
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:** The Final Plat complies with all applicable city regulations as well as all other applicable regulations, standards, requirements, and/or plans of the federal and state governments.	☒	☐	☐
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:** No interlocal or development agreements are applicable to this project.	☐	☐	☒
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:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
8. Minimizes Adverse Impacts on Surrounding Property			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
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:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
9. Minimizes Adverse Fiscal Impacts			
a. The proposed development should not result in significant adverse fiscal impacts on the city. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
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:** The proposed Final Plat complies with all City regulations as described herein.	☒	☐	☐
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:** Adequate road capacity exists external to the site.	☒	☐	☐
12. Provides Adequate Public Services and Facilities			
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.	☒	☐	☐

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
Findings: There are adequate facilities to serve the development.			
12. Rational Phasing Plan			
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.** **Findings:** No phasing is proposed for this plat.	☐	☐	☒

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
13. Whether the final plat conforms to the preliminary plat, including any conditions of approval. **Findings:** 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.	☐	☐	☒
14. Whether the development will substantially comply with all requirements of this DDC. **Findings:** This Final Plat does not meet all review criteria, as detailed in criteria 1b above as required by the Denton Development Code.	☐	☒	☐
15. Whether the development will comply with the applicable technical standards and specifications adopted by the City. **Findings:** The Final Plat complies with all applicable technical standards and specifications as detailed herein.	☒	☐	☐