

# Planning Staff Analysis

FP24-0038a/ Home Zone Denton

City Council District #3

Planning & Zoning Commission

**REQUEST:**

Final Plat for an approximately 2.407-acre commercial lot.

**APPLICANT:**

Winkelman & Associates, Inc. on behalf of JBA Denton LLC

**RECOMMENDATION:**

Staff recommends approval of this Final Plat as it meets the established approval criteria, 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
<b>1. Generally</b>			
<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><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Final Plat meets all review criteria, as detailed below.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Final Plat meets all Approval Criteria, as detailed below.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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.</p> <p><b>Findings:</b></p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Prior Approvals</b>			
<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.</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
<p><b>Findings:</b></p> <p>The proposed development is consistent with the approved PD22-0006a, which was approved by the Denton City Council on September 27, 2022.</p>			
<p><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></p> <p><b>Findings:</b></p> <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> <p>However, Denton Plan 2040's Future Land Use Map designates the subject property as Community Mixed Use. The proposed use is consistent with the designation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</b></p> <p><b>Findings:</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>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.</b></p> <p><b>Findings:</b></p> <p>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>4. Compliance with this DDC</b></p>			
<p><b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b></p> <p><b>Findings:</b></p> <p>The proposed development complies with all applicable standards in the Denton Development Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b></p> <p><b>Findings:</b></p> <p>The proposed Final Plat provides sufficient detail for review.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>5. Compliance with Other Applicable Regulations</b></p>			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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.</p> <p><b>Findings:</b></p> <div data-bbox="253 401 1040 485" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The Final Plat meets the requirements.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6. Consistent with Interlocal and Development Agreements</b>			
<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><b>Findings:</b></p> <div data-bbox="253 722 1040 894" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>There are no interlocal or development agreements associated with this development. However, the proposed Final Plat is consistent with PD22-0006a, which was approved by the Denton City Council on September 27, 2022.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. Minimizes Adverse Environmental Impacts</b>			
<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><b>Findings:</b></p> <div data-bbox="253 1173 1094 1247" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Applicant has demonstrated compliance with ESA regulations.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>			
<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><b>Findings:</b></p> <div data-bbox="253 1488 1105 1625" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <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>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p>	<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
<p><b>Findings:</b></p> <div data-bbox="253 201 1040 338" style="border: 1px solid black; padding: 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>			
<b>10. Compliance with Utility, Service, and Improvement Standards</b>			
<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><b>Findings:</b></p> <div data-bbox="253 615 1105 695" style="border: 1px solid black; height: 38px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>11. Provides Adequate Road Systems</b>			
<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><b>Findings:</b></p> <div data-bbox="253 968 1040 1052" style="border: 1px solid black; height: 40px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. Provides Adequate Public Services and Facilities</b>			
<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><b>Findings:</b></p> <div data-bbox="253 1423 1040 1514" style="border: 1px solid black; height: 43px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>13. Rational Phasing Plan</b>			
<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><b>Findings:</b></p> <div data-bbox="253 1787 1040 1864" style="border: 1px solid black; padding: 5px;"> <p>The proposed project does not include phasing.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
<p><b>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</b>  <b>Findings:</b></p> <div data-bbox="204 331 1081 468" style="border: 1px solid black; padding: 5px;"> <p>A preliminary plat was not required for this development. However, the proposed development is consistent with the approved PD22-0006a, which was approved by the Denton City Council on September</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>15. Whether the development will substantially comply with all requirements of this DDC.</b>  <b>Findings:</b></p> <div data-bbox="204 611 1068 701" style="border: 1px solid black; padding: 5px;"> <p>This Final Plat meets all review criteria as required by the Denton Development Code.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</b>  <b>Findings:</b></p> <div data-bbox="204 831 1065 938" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat complies with all applicable technical standards and specifications as detailed herein.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>