



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Environmental Services and Sustainability

ACM: Frank Dixon – Assistant City Manager

DATE: September 16, 2025

SUBJECT

Hold a public hearing and consider the adoption of an ordinance of the City of Denton, Texas approving an Alternative Environmentally Sensitive Area Plan to offset the removal of 0.23 acre of Environmentally Sensitive Areas (ESAs) on approximately 53.89 acres of land located north of Spencer Road and approximately 1,200 feet west of the intersection of Spencer Road and Loop 288 in the City of Denton, Denton County, Texas; adopting an amendment to the City's official Environmentally Sensitive Areas map; providing for a penalty in the maximum amount to \$2,000.00 for violations thereof; providing a severability clause; and providing an effective date. The Planning and Zoning Commission voted (5-0) to recommend approval of the request. Motion for approval by Commissioner Riggs and second by Commissioner McDuff. (AESA25-0001c, Spencer Road Industrial, Jennifer Rovezzi).

<https://dentontx.new.swagit.com/videos/352450/>.

During the meeting a brief discussion was held regarding the value of uplifting the habitat by removing the monocultured invasive privet, the site design supports habitat conditions by maintaining a greater continuity, and the site design maximizes tree preservation.

BACKGROUND

The applicant, IDI Logistics, LLC, represented by Addison Brown, has requested an Alternative Environmentally Sensitive Areas (AESA) Plan to allow for modifications to Environmentally Sensitive Areas (ESAs) located on the subject property. The ESAs will be removed to allow for appropriate access to serve the industrial development. The ecology along the length of the stream on the subject property will be improved to better serve the stream.

Denton designates and provides regulations that limit land-disturbing activities to protect water quality, provide habitat, and maintain ecological services. ESA designations are applied to property based on an assessment that includes a review of the official ESA map.

If a property owner wishes to disturb an ESA beyond the limited encroachments authorized by Section 7.4 of the Denton Development Code (DDC), approval of an AESA Plan must first be obtained pursuant to Section 2.8.4 of the DDC. Approval of an AESA Plan requires two public hearings, the first at the Planning and Zoning Commission for a recommendation and the second at the City Council for ultimate action.

A more detailed explanation of the ESAs found on the subject property as well as a full Staff Analysis of the requested AESA Plan are provided in Exhibit 2.

OPTIONS

1. Recommend Approval
2. Recommend Approval subject to conditions
3. Recommend Denial
4. Postpone item

RECOMMENDATION

The proposed Alternative ESA Plan is a complete application as outlined in the Denton Development Code Section 2.8.4 and the AESA Application Checklist.

Staff recommends **approval** of the request and the proposed ordinance with the following conditions:

1. Land disturbances within Environmentally Sensitive Areas are limited to the Property described on **Exhibit “A”** and depicted on the map provided on **Exhibit “B”**;
2. Clearing on the AESA Property described in **“Exhibit “C”** and depicted on the map provided on **Exhibit “D”** shall comply with the AESA Plan in **Exhibit “E”** and immediately commence upon issuance of the clear and grade permit for the development;
3. All improvements described in the Mitigation Activities portion of the AESA Plan in **Exhibit “E”** must commence prior to the issuance of the first building permit;
4. Notwithstanding Condition No. 2 and with prior approval from the Director of Environmental Services and Sustainability, the Property Owner may begin the improvements described in the Mitigation Activities portion of the AESA Plan in **Exhibit “E”** on a date certain within the next appropriate growing season;
5. Invasive plants removed as a part of the approved AESA Plan shall continue to be monitored and targeted for removal for a minimum of three (3) years from the time of their initial removal and until the conditions of the AESA Plan have been met;
6. Upon receipt of the third annual report, City of Denton staff will perform an inspection. If the inspection confirms that the conditions of the AESA Plan have been met, Director of Environmental Services and Sustainability will issue a letter of acceptance;
7. All perpetual maintenance activities in the AESA Plan shall be recorded on corresponding platting for the Property; and
8. The Property Owner retains all responsibility and shall bear all costs and liabilities related to (i) ownership, operation, upkeep, and maintenance of the AESA Property; (ii) implementation and enforcement of the requirements of the AESA Plan; and (iii) any actions needed to cure any defaults of the AESA Plan.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

No prior actions or reviews of the subject property have been made.

PUBLIC OUTREACH:

13 notices were sent to property owners within 200 feet of the subject property. 69 notices were sent to physical addresses within 500 feet of the subject property. As of the writing of this report, staff received no responses.

A notice was published in the Denton Record Chronicle on August 30, 2025.

A notice was published on the City’s website on August 28, 2025.

Four signs were posted on the property on July 10, 2025.

The applicant scheduled a neighborhood meeting on July 14, 2025. The meeting was canceled due a lack of interest.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Spencer Road Industrial Alternative ESA Plan
4. Draft Ordinance
5. Notification Map and Responses

Respectfully submitted:
Michael A. Gange
Director of Environmental Services and Sustainability

Prepared by:
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Watershed Protection Manager