

# Planning Staff Analysis

**FP22-0020**

**Denton Exeter Addition No. 3, block A**

**City Council District #3**

**Planning & Zoning Commission**

**REQUEST:**

Approval of a Final Plat for an approximately 90.436-acre site.

**APPLICANT:**

Trey Braswell of Kimley-Horn and Associates, Inc., on behalf of Colby Schraegle of Exeter Masch Branch Land LP

**RECOMMENDATION:**

Staff is recommending approval of this request as it meets the established approval criteria for Final Plats, with the following condition:

1. The associated Alternative Environmentally Sensitive Area (AES A22-0002) for the proposed development must be approved by City Council as required by DDC Sections 7.4.4C and 2.8.4.

Refer to Final Plat review approval criteria in the table below:

## Final Plat Review Approval Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>1. Generally</b>			
<p><b>1. 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></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The final plat complies with all general review criteria, as detailed below.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>2. 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></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The final plat complies with all additional review criteria.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>3. 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></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> <p>There is no conflict between the general review criteria in this section and the specific review criteria.</p>			
<p><b>2. Prior Approvals</b></p>			
<p><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></p> <p><b>Findings:</b></p> <p>The final plat is consistent with the previously approved Zoning Compliance Plan and Preliminary Plat. The purpose of the final plat is to develop an industrial warehouse with supporting site improvements.</p> <p>As noted in the recommended conditions, and Alternative ESA plan must be approved before this plat can be approved in order to permit the proposed drainage channels to encroach within the Riparian Buffer ESA.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b></p> <p><b>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</b></p> <p><b>Findings:</b></p> <p>The Comprehensive Plan designates the subject property as Industrial Commerce, which is intended to include light and heavy industrial uses. The proposed industrial warehouse development is consistent with Industrial Commerce Future Land Use designation.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</b></p> <p><b>Findings:</b></p> <p>There are no competing plan goals, policies, and strategies.</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 the Comprehensive Plan.</b></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> <div style="border: 1px solid black; padding: 5px;"> <p>The subject property is zoned Heaving Industrial (HI). The proposed development is consistent with the intent of the HI zoning district. The development is consistent with the Future Land Use designation in the Comprehensive Plan.</p> </div>			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>4. Compliance with this DDC</b>			
<p><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></p> <div data-bbox="253 331 1040 558" style="border: 1px solid black; padding: 5px;"> <p>The final plat complies with all applicable standards in the DDC. Staff is recommending approval of the final plat, with a condition that the associated Alternative Environmentally Sensitive Area (AES A22-0002) for the proposed development is approved by City Council.</p> </div>	<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>  <b>Findings:</b></p> <div data-bbox="253 695 1040 810" style="border: 1px solid black; padding: 5px;"> <p>The subject submittal is a final plat, and it was reviewed based on the checklist and requirements for a final plat.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>			
<p><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 includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</b>  <b>Findings:</b></p> <div data-bbox="253 1115 1040 1377" style="border: 1px solid black; padding: 5px;"> <p>The final plat complies with all other city regulations and with all applicable regulations, standards, requirements, or plans. Staff is recommending approval of the final plat, with a condition that the associated Alternative Environmentally Sensitive Area (AES A22-0002) for the proposed development is approved by City Council.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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>  <b>Findings:</b></p> <div data-bbox="253 1619 1040 1734" style="border: 1px solid black; padding: 5px;"> <p>There are no Interlocal or other agreements applicable to this property.</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</b></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>natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 300 1040 636" style="border: 1px solid black; padding: 5px;"> <p>Staff is recommending approval of the final plat, with a condition that the associated Alternative Environmentally Sensitive Area (AES A22-0002) for the proposed development is approved by City Council. The proposed Alternative ESA Plan is for the impacts to the riparian buffer caused by the construction of two stormwater drainage channels. The proposed construction would consist of excavating a channel that will direct stormwater from an outfall to an adjacent stream channel.</p> </div>			
<p><b>8. Minimizes Adverse Impacts on Surrounding Property</b></p>			
<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 data-bbox="253 871 1040 1024" style="border: 1px solid black; padding: 5px;"> <p>The final plat complies with all applicable standards in the DDC. The proposed development is not expected to cause any significant adverse impacts on surrounding properties.</p> </div>	☒	☐	☐
<p><b>9. Minimizes Adverse Fiscal Impacts</b></p>			
<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 data-bbox="253 1197 1040 1421" style="border: 1px solid black; padding: 5px;"> <p>Adequate public utilities and infrastructures will be developed to serve this development. All applicable regulations, standards, and requirements have been reviewed and approved by staff. The proposed development is not anticipated to result in significant adverse fiscal impacts on the city.</p> </div>	☒	☐	☐
<p><b>10. Compliance with Utility, Service, and Improvement Standards</b></p>			
<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 data-bbox="253 1694 1040 1843" style="border: 1px solid black; padding: 5px;"> <p>The final plat complies with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications.</p> </div>	☒	☐	☐
<p><b>11. Provides Adequate Road Systems</b></p>			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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="253 367 1040 520" style="border: 1px solid black; padding: 5px;"> <p>Adequate road capacity will be constructed internally to serve the proposed development and provide adequate access for all emergency services.</p> </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="253 892 1040 1045" style="border: 1px solid black; padding: 5px;"> <p>Current public service and facility capacity can accommodate the proposed development while maintaining adequate levels of service to existing development.</p> </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 1318 1040 1472" style="border: 1px solid black; padding: 5px;"> <p>The subject property will be developed in phases in accordance with all City of Denton applicable regulations, standards, and requirements.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final Plat Approval Criteria (DDC Section 2.6.4D)	Compliance		
	Met	Not Met	N/A
<p>In reviewing a final plat application, the Planning and Zoning Commission shall consider the general approval criteria applicable to all applications in Subsection 2.4.5 and whether:</p>			
<p><b>1. The final plat conforms to the approved preliminary plat, including any conditions of approval;</b></p> <div data-bbox="253 380 1040 533" style="border: 1px solid black; padding: 5px;"> <p>The final plat will conform with preliminary plat (PP21-0015), approved by the Planning and Zoning Commission on November 5, 2021.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>2. The development will substantially comply with all requirements of this DDC; and</b></p> <div data-bbox="253 642 1040 758" style="border: 1px solid black; padding: 5px;"> <p>The proposed development will comply with all requirements of the Denton Development Code.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>3. The development will comply with the applicable technical standards and specifications adopted by the city.</b></p> <div data-bbox="253 867 1040 982" style="border: 1px solid black; padding: 5px;"> <p>The proposed development will comply with the applicable technical standards and specifications adopted by the city.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>