

Planning Staff Analysis

FP26-0015/Flex Business Park Addition

ETJ

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 4.991-acre site.

APPLICANT:

Mitchel Ryan of Trailspur, LLC, on behalf of the property owner, TCP Leatherwood, LLC.

RECOMMENDATION:

Staff recommends denial of this plat as it does not meet the established criteria for approval.

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			
<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>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Proposed plat does not comply with all general applicable review criteria, as detailed herein.</p> </div>	<input type="checkbox"/>	<input checked="" 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>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all applicable review criteria of DDC Section 2.6.4D as described herein.</p> </div>	<input type="checkbox"/>	<input checked="" 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>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>There is no conflict.</p> </div>	<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
2. Prior Approvals			
<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> <p>Findings:</p> <div data-bbox="246 407 1034 478" style="border: 1px solid black; padding: 5px;"> <p>There are no prior approvals for this property.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div data-bbox="238 653 1024 934" 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>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies.</p> <p>Findings:</p> <div data-bbox="250 1043 1036 1295" style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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.</p> <p>Findings:</p> <div data-bbox="253 1436 1040 1566" style="border: 1px solid black; padding: 5px;"> <p>Not applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
4. Compliance with this DDC			
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</p> <p>Findings:</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>The Final Plat does not comply with the applicable DDC requirements as described herein:</p> <ol style="list-style-type: none"> 1. Provide notes indicating how adequate water and wastewater service will be provided for the development, whether by the City of Denton or, where permitted, by an alternative water or wastewater service or facility. (DDC 8.4.10-11 and FPC 2.14) 2. Plat cannot be approved until Civil Engineering Plans are approved. (DDC 2.6.4C.2d) 3. PL1.6 Label and dimension all lots and blocks and include the area expressed in square feet and acres (DDC Section 8.3.2 and 8.3.3) (Checklist 3.3) <p>The proposed Final Plat does not meet all criteria set forth by the Final Plat Checklist (FPC), authorized by Denton Development Code (DDC) Subsection 2.6.4D.3. Prior to approval, the following comments must be addressed:</p> <ol style="list-style-type: none"> 1. Provide plat notes and approval block in accordance with the Standard Plat notes for a Final Plat. (FPC 5.8) 2. Dimension and label right-of-way (ROW) dedication. (FPC 4.1) 3. Label the exact location, dimension, and centerline (with dimension from centerline to edge of existing or proposed ROW) of existing public ROW intersecting or contiguous with its boundary or forming such boundary. Display the centerline of proposed ROW with dimension from centerline to the edge of proposed ROW. (FPC 3.13) 4. Include all lines and acronyms in legend. (FPC 2.12) 5. Provide copy of computer-generated closure sheet. (FPC 5.2) 6. Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 2.19) 7. Show, label, and dimension all existing and proposed easements. (DDC 2.6.2.C.6.b and DDC 8.4.4). Provide line and curve data for easement boundaries and tie down easements. Provide recording information for existing easements. If all or portion of an existing platted easement is to be abandoned, label "To be abandoned by this plat." Indicate abandonments using a hatching pattern. (FPC 3.6, FPC 4.3) 8. Show the 200-foot floodplain buffer on the plat. Label minimum finish floor elevation for each pad site on any lot encumbered by floodplain or within the 200' floodplain buffer. If a single lot is expected to have multiple buildings, the location of each pad site must be shown on the plat with its minimum elevation. (DDC Section 7.5.3.I.3 and FPC 3.14) 9. Provide and label ROW corner clip dedications. Provide line and curve data for dedications. (DCM 5.4.1, DCM 5.4.2 and FPC 3.16) 10. Limit plat notes to those applicable to the plat type submitted. (FPC 5.9) 11. Label point of beginning with coordinates in decimal degrees. Indicate on graphic and in legal description. (FPC 2.9) 12. Ensure correct spelling. (FPC 2.1) 			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div data-bbox="261 300 1156 401" style="border: 1px solid black; padding: 5px;"> The proposed Final Plat provides sufficient detail required for the submittal.</div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations			
<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. Findings: <div data-bbox="253 636 1161 884" style="border: 1px solid black; padding: 5px;"> The proposed Final Plat does not comply with all other city regulations, in the following ways: Depict proposed driveway location and dimension distance between driveway and nearest intersection to show that it complies with the minimum distance requirement in Denton Criteria Manual Table 5.5-C.</div> </p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements			
<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. Findings: <div data-bbox="253 1094 1115 1234" style="border: 1px solid black; padding: 5px;"> There are no development agreements applicable to this Final Plat.</div> </p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Minimizes Adverse Environmental Impacts			
<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. Findings: <div data-bbox="261 1509 1122 1608" style="border: 1px solid black; padding: 5px;"> Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div> </p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property			
<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. Findings:</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>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p>			
9. Minimizes Adverse Fiscal Impacts				
	<p>a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <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>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				
	<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. Findings: <p>As discussed further in Criterion 4:</p> <ol style="list-style-type: none"> 1. Compliance with regulatory standards for roadways cannot be determined until additional information is provided. 2. Corner clip easements are required. 3. Additional labeling is required to comply with drainage standards. </p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
	<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. Findings: <p>Compliance with DDC ROW dedication requirements is unclear until ROW centerline is properly depicted and ROW half width and ROW dedication are both correctly dimensioned. Provide this labeling and information to show compliance. Provide additional ROW dedication if needed to achieve required minimum ROW width. (DDC 7.8.7A-B)</p> <p>Depict proposed driveway and demonstrate proper drive approach spacing, as discussed in Criterion 5.</p> </p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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>Findings:</p> <div data-bbox="261 436 1110 585" style="border: 1px solid black; padding: 5px;"> Plat notes are needed to establish that the lot will be served by City of Denton water and sewer services as required by DDC 8.4.10-11. (FPC 2.14-15) </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Rational Phasing Plan			
<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>Findings:</p> <div data-bbox="261 863 1110 957" style="border: 1px solid black; padding: 5px;"> There is no phasing plan associated with the proposed Final Plat. </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>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <div data-bbox="204 1234 1039 1337" style="border: 1px solid black; padding: 5px;"> There is no approved preliminary plat associated with the proposed Final Plat. </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>15. Whether the development will substantially comply with all requirements of this DDC.</p> <p>Findings:</p> <div data-bbox="204 1478 1024 1619" style="border: 1px solid black; padding: 5px;"> The Final Plat does not comply with the applicable requirements of the Denton Development Code as detailed in Criterion 4. </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</p> <p>Findings:</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
<p>The Final Plat has not established compliance with all applicable technical standards of City of Denton, as detailed in Criteria 5 and 10.</p>				