

# Planning Staff Analysis

FP26-0017/ Denton Enterprise Logistics Park

City Council District 3

Planning & Zoning Commission

**REQUEST:**

Final Plat for an approximately 102.9888-acre site.

**APPLICANT:**

Kinley Horn on behalf of Denton Enterprise Owner LLC.

**RECOMMENDATION:**

Staff recommends denial of this Final Plat as it does not meet the established approval criteria; however, staff has no objection to the review extension request.

## 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;">                     The Final Plat does not meet all applicable review criteria. See Criteria 2, 4, 10, 12, 15-16.                 </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><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;">                     The Final Plat does not meet all applicable review criteria of DDC Section 2.6.4D. See Criteria 15-16                 </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><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;">                     There is no conflict.                 </div>  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input 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</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>changed. This includes an approved phasing plan for development and installation of public improvements and amenities.</p> <p><b>Findings:</b></p> <div data-bbox="253 331 1016 428" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is not compliant with this criterion. See Criteria 4.</p> </div>  |                                     |                                     |                                     |
| <p><b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b><br/> <b>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</b></p> <p><b>Findings:</b></p> <div data-bbox="204 634 971 779" 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><b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</b></p> <p><b>Findings:</b></p> <div data-bbox="253 951 1016 1056" style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</p> </div>   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input 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> <div data-bbox="253 1262 1016 1396" 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"/> |
| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)  | Compliance                          |                                     |                                     |
| <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></p> <p><b>Findings:</b></p> <div data-bbox="253 1640 1016 1766" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat is not compliant with this criterion. See the following comments:</p> <ol style="list-style-type: none"> <li>1. Pending CEP approval. (DDC 8.3.2.C)</li> </ol> </div>      | <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><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> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat was not submitted at an adequate level of detail. See the following comments:</p> <ol style="list-style-type: none"> <li>1. Show utility easement dimensions (FPC 3.6)</li> <li>2. Provide a copy of the computer-generated closure report for the metes and bounds description. (FPC 5.2)</li> <li>3. For all easements, provide location of recording information such as D.R.D.C.T, P.R.D.C.T., etc. Ensure these abbreviations are also added to the legend. (FPC 3.6)</li> <li>4. Provide dimensions of proposed ROW dedications. (FPC 4.1)</li> <li>5. Change to "SPRING SIDE ROAD"</li> <li>6. Spell out "CORBIN ROAD"</li> <li>7. Spell out "WESTCOURT ROAD"</li> <li>8. Include all abbreviations in the legend. (FPC 2.12)</li> <li>9. Include all graphic symbols in the legend for monuments used. (FPC 2.12)</li> <li>10. Include all line types used such as road centerlines and creek centerlines, if any. (FPC 2.12)</li> <li>11. Display and label the location of the centerline of creeks and drainage ways tied to dimensions in feet and hundredths of feet with bearings and angles. No unplatted remainder will be allowed between property boundaries and centerlines of creeks. (FPC 3.12)</li> </ol> </div> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <p><b>5. Compliance with Other Applicable Regulations</b></p>  |                                     |                                     |                                     |
| <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></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is compliant with this criterion.</p> </div>  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| <p><b>6. Consistent with Interlocal and Development Agreements</b></p>   |                                     |                                     |                                     |
| <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></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 style="border: 1px solid black; padding: 5px;"> <p>There are no development agreements applicable to this proposed Final Plat.</p> </div>   |                          |                          |                                     |
| <p><b>7. Minimizes Adverse Environmental Impacts</b></p>   |                          |                          |                                     |
| <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 natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</b></p> <p><b>Findings:</b></p> <div 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><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 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><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 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><b>10. Compliance with Utility, Service, and Improvement Standards</b></p>  |                          |                          |                                     |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)  | Compliance                          |                                     |                          |
|---|-------------------------------------|-------------------------------------|--------------------------|
|   | Met                                 | Not Met                             | N/A                      |
| <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="253 436 1018 1234" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is not compliant with this criterion. See the following comments:</p> <ol style="list-style-type: none"> <li>1. Ensure that if a fire lane is to serve multiple properties or travel through another private property, that a shared used access easement is provided. This will also apply to any need for general access to a property through another, or in tandem with another property. (DDC 7.8.10)</li> <li>2. All drainage and floodplain easements are subject to further review from DSA25-0017 and CEP26-0011. (DDC 2.6.2.C.6.b, DDC 8.4.4 and FPC 3.6)</li> <li>3. It should be noted, that within the 200' floodplain buffer, floodplain, or floodway, any structure shall have an elevation certificate. This shall be included as a note on the plat. (Floodplain Development Permit Requirement)</li> <li>4. Note meant for plats without FEMA floodplain on them. Revisions may be needed. (FPC 6.2)</li> <li>5. These notes appear to be incorrect. CEP26-0011 shows this development with gravity sewer. (DDC 8.4.10-11 and FPC 2.14)</li> </ol> </div> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p><b>11. Provides Adequate Road Systems</b></p>  |                                     |                                     |                          |
| <p><b>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.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1535 1018 1602" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is compliant with this criterion.</p> </div>   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| <p><b>12. Provides Adequate Public Services and Facilities</b></p>  |                                     |                                     |                          |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)   | Compliance               |                                     |                                     |
|--|--------------------------|-------------------------------------|-------------------------------------|
|  | Met                      | Not Met                             | N/A                                 |
| <p><b>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.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 499 1016 919" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is not compliant with this criterion. See the following comments:</p> <ol style="list-style-type: none"> <li>1. Label the exact location, dimension, and centerline (with dimension from centerline to edge of existing or proposed ROW) of existing public ROW. Display the centerline of proposed ROW with dimension from centerline to the edge of proposed ROW. (FPC 3.13)</li> <li>2. Provide dimensions of proposed ROW dedications. (DDC 7.8.7.A-B, DCM 5.3 and FPC 4.1)</li> </ol> </div> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <b>13. Rational Phasing Plan</b>   |                          |                                     |                                     |
| <p><b>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.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1178 1016 1283" style="border: 1px solid black; padding: 5px;"> <p>There is no phasing plan associated with the proposed Final Plat.</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></p> <p><b>Findings:</b></p> <div data-bbox="204 1570 967 1736" style="border: 1px solid black; padding: 5px;"> <p>There is no approved preliminary plat associated with the proposed Final Plat. The applicant has opted to omit the Preliminary Plat step in accordance with Denton Development Code 2.6.3B.1.</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>15. Whether the development will substantially comply with all requirements of this DDC.</b></p> <p><b>Findings:</b></p> <div data-bbox="203 331 969 466" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is not compliant with the applicable requirements of the Denton Development Code. See Criteria 4, 10 and 12</p> </div>   | <input type="checkbox"/> | <input checked="" 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></p> <p><b>Findings:</b></p> <div data-bbox="203 636 969 779" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is not compliant with the applicable technical standards and specifications adopted by the City. See Criteria 10 and 12.</p> </div> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |