

Staff Analysis

PP23-0003 / Mayhill 380 Business Park Addition

City Council District #2

Planning & Zoning Commission

REQUEST:

Preliminary Plat for an approximately 19.508-acre tract.

APPLICANT:

Kimley-Horn on behalf of Velocis Denton South JV, LP and Earl Edwards.

RECOMMENDATION:

Staff recommends denial, as the proposed Preliminary Plat fails to meet the established approval criteria, as shown in the following table:

Preliminary Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
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.			
Findings: <div>The Preliminary Plat does not meet all review criteria, as detailed in Approval Criteria 3, 4a, 11a, 12a, 14, and 15 below and the following items as required by the Preliminary Plat Checklist (PPC) authorized per Denton Development Code Section 2.4.4B:<ol style="list-style-type: none">1. Provide the phone number for the owner Earl Edwards on the plat sheets. (PPC 2.5)2. Provide the curve data information for the east property line between the ½ inch IRFC “Pacheco Koch” to ½ inch IRF between the CB = S 06°32’08” W to S 10°17’06” W along Mayhill Road. (PPC 2.8, PPC 2.9, and PPC 3.2)3. Revise the call out labels for the monuments for the ends of the N 82°12’42” E 159.59 feet and S 3°21’33” W 74.55 feet to match the legal description or the legal description should be revised. (PPC 2.11 and PPC 3.2)4. Provide a note on the preliminary plat sheets that the water and wastewater will be provided by City of Denton. (DDC 8.4.10-11 and PPC 2.13)5. Extend the proposed 20-foot PUE along North Mayhill Road north of the proposed north driveway approach on the Preliminary Sheet 1 and the utility plan sheet. (PPC 3.4 and PPC 4.4)</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>6. Dimension the proposed easement along the jog along North Mayhill Road (S 3°21'33" W 74.55 feet) to indicate the width easement on the property. The proposed public sanitary should be within a 16-foot easement if not in a public ROW. Since the proposed sanitary sewer is proposed on the property line there should be approximately 8-foot easement on the property to provide adequate access to the City for any maintenance on the Preliminary Sheet 1 and the utility plan sheets. (PPC 3.4 and PPC 4.4)</p> <p>7. Add a call out label for the northern water easement size on the Preliminary Plat sheet shown on the Utility Plan sheet for the proposed building 1 and building 2. (PPC 3.4 and PPC 4.4)</p> <p>8. Revise the proposed 16-foot drainage easement to 20 foot or 25 feet per Section 3.9.B.2.a table on the Preliminary Plat, Utility Plan sheets, and Post Drainage Area Map. (SWDCM Section 3.9.B.2.a Table Easement Requirements for Closed Drainage Systems)</p> <p>9. Add the to the Flood Statement the LOMR number shown on the FEMA website for site development. (PPC 3.6)</p>		<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> <p>The Preliminary Plat does not meet Approval Criteria 3, 4a, 11a, 12a, 14 and 15 as detailed below.</p>		<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>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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>		<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
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.				
Findings: <div>Denton Plan 2040's Future Land Use Map designates the subject property as Community Mixed Use. The proposed development is not consistent with the Denton Plan 2040's Future Land Use Map; however, the property is currently zoned Light Industrial, which the proposed use for the property is allowed.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies				
Findings: <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.				
Findings: <div>Denton Plan 2040's Future Land Use Map designates the subject property as Community Mixed Use. The proposed development is not consistent with the Denton Plan 2040's Future Land Use Map; however, the property is currently zoned Light Industrial, which the proposed use for the property is allowed.</div>		<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
4. Compliance with this DDC				
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.				
Findings: <div> In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required: <ol style="list-style-type: none"> Provide two flow arrows for the OS-2 area as it is unclear if that the one drainage flow arrow is for the small area that is a part of the EDA-1 area on the Existing Drainage Area Map and t=on the Proposed Drainage Area Map. (BEP) </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
	<ol style="list-style-type: none"> 2. Indicate how the area north of the proposed parking lot for Building 1 will drainage. Indicate how this area drain into the parking lot and inlets or to the culvert north of the building 1 on the Proposed Drainage Area Map sheet. (BEP) 3. The total acreage on both Existing and Proposed Drainage Area Maps are not totaling up correctly, revise. (DDC Section 7.5, DDC Section 8.3.2.B and PPC 9.5) 4. The proposed flow to Mayhill Road does not total to 118.8 cfs, revise on the Proposed Drainage Area Map sheet. (DDC Section 7.5, DDC Section 8.3.2.B and PPC 9.5) 5. Remove the frequency factor column on both Drainage Area Maps as this factor is used only for conveyance, shown within the storm water calculations. (iSWM Hydraulic page HO-8) 6. Revise the basin number to reflect the EDA-1, EDA-2, and EDA-3 areas in the Time of Concentration & Lag Timetable on the Existing Drainage Area Map sheet. (BEP) 7. Dimension the existing drainage State of Texas drainage easement on the Post Drainage Area Maps. (BEP) 8. INFORMATION: Restrictions of easements shall be described on the final plat and approved by the City. (DDC 7.5.3.N.3) 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The proposed Preliminary Plat provides sufficient detail for review.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
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>The Preliminary Plat meets the requirements.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
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.		<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
Findings: <div></div>				

7. Minimizes Adverse Environmental Impacts				
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>The proposed Preliminary Plat is designed to minimize negative environmental impacts and should not cause significant adverse impacts on the natural environment.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
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: <div>This development is not expected to result in significant adverse impacts on the surrounding properties.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <div>This development is not expected to result in significant adverse fiscal impacts on the city.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				
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:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	<p>In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Revise the existing 12-inch waterline to 16 inches per the City of Denton Interactive GIS Map along US Highway 380 (East University Drive) on the Utility Plan sheet. (PPC 8.1) 2. It appears that the 10-foot ROW Dedication arrow is not clearly pointing the dedication area on the Utility Plan sheet, revise. (BEP) 3. The proposed 10-inch sanitary sewer within the property along Mayhill Road should have a minimum of 16 feet easement over the mainline. However, the preliminary plat sheet indicates a 10-foot public utility easement by this plat and a 10 foot ROW dedication by this plat. Mayhill Road appears to be at the ultimate ROW of 135 feet, revise the proposed 10-foot ROW dedication shown on the preliminary plat sheet and on the Utility Plan sheet. See Comment 6 in preliminary plat section above. (PPC 8.1) 4. The Utility Plan sheet indicates that there is a proposed 20-foot PUE along Mayhill Road and this should be shown on the Preliminary Plat sheet in lieu of the 10-foot easement and 10 feet ROW dedication, revise. (BEP) 5. There appears to be two lateral storm sewer pipes are shown on the Utility Plan to north of proposed Building 1 that are not connected to an inlet. Indicate if these two lateral pipes are to be connected to inlets or remove them. (BEP) 6. The note on the Utility plan sheet indicated that the development cannot be gravity sewered onsite; however, the utility plan sheet shows the connection to the sanitary sewer offsite which would indicate the site being gravity sewered. Revise the note. (DDC Section 8.4.11 and PPC 8.2) 7. Provide the water and sewer demand/loading calculations consistent with the Water and Wastewater Design Criteria Manual on the Utility Plan sheets. (W/WWDCM 3.3 and 4.2/BEP) 8. Provide a cleanout at the easement line for all proposed sanitary sewer service lines on the Utility Plan. Single-way cleanouts shall be provided on laterals at the public easement or Right-of-Way. Double way cleanouts are not allowed. See Drawings S403 and S404 of Sheet 5 of the City Standard Details. (W/WWDCM 4.8) 9. Provide a minimum 30-foot PUE for easements with both water and sewer up to 20 inches in the same easement. (DDC 7.6.7) 10. INFORMATION: All trees, fences and retaining walls, signs, and underground foundations or any parts of structures shall not encroach into public utility, water or sewer easements. (DDC Section 7.6.7.I.) 			
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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.</p> <p>Findings:</p> <div data-bbox="253 365 1154 474"> <p>The Preliminary Plat does not meet Approval Criteria 4a and 10a, and 12a as detailed below.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities			
<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="253 848 1154 1635"> <p>In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Revise the minimum proposed right turn lanes' taper and storage lengths from 100 feet to 200 feet along Mayhill Road (primary arterial road) shown on the Utility Plan sheet. (TDCM Table 1.4.3.1) 2. Provide an additional 15-foot of ROW for each turn lane bay per TDCM Table 1.4.3.1 footnote 6 on the Utility Plan sheet along Mayhill Road. See Comment 6 in preliminary plat section and Comment 3 in utility plan section above. (TDCM Table 1.4.3.1) 3. Dimension the width of each right turn lane on the Utility Plan sheet. (TDCM Table 1.4.3.1 and BEP) 4. Revise the driveway approach radii for the middle driveway approach and the south driveway approach to the maximum 25 feet on the Utility Plan sheets. If to remain 30 feet provide an AutoTurn exhibit for both entrances to confirm the additional 5 feet for the driveway approaches radii. (TDCM Table 2.2.1.1) 5. For the existing median within Mayhill Road provide the eastside boundary on the Utility Plan sheets as it appears nonexistent. Show the traffic lanes along US Highway 380 (East University Drive) and Mayhill Road. (BEP) </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="253 1911 1162 1976"> <p>No phasing is proposed.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Preliminary Plat Review Applicability Criteria (DDC Section 2.6.e.D)		Applicability		
		Met	Not Met	N/A
14. Provides a layout of lots, roads, driveways, utilities, drainage, and other public facilities and services designed to minimize the amount of disturbance to sensitive natural areas or other community resources. Findings: <div>The Preliminary Plat does not meet Approval Criteria 3, 4a, 11a, 12a, 14, and 15 as detailed above.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Provides evidence of public water and sewer system connections. Findings: <div></div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Identifies and adequately mitigates known natural hazard areas. Findings: <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Proposes reasonable project phasing in terms of infrastructure capacity. Findings: <div>The proposed Preliminary Plat provides does not include phasing.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>