

# Planning Staff Analysis

FR26-0006/ Red Bird Ridge

City of Denton ETJ 1

Planning & Zoning Commission

**REQUEST:**

Final Replat for an approximately 4.015-acre site.

**APPLICANT:**

Traverse Land Surveying on behalf of Steve and Watson Custom Homes.

**RECOMMENDATION:**

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

## Final Replat 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 Replat does not meet all applicable review criteria as described herein.                 </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 Replat does not meet all applicable review criteria of DDC Section 2.6.4D as described herein.                 </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><b>changed. This includes an approved phasing plan for development and installation of public improvements and amenities.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 331 1040 632" style="border: 1px solid black; padding: 5px;"> <p>The Final Replat is not compliant with this criterion. See the following comments:</p> <ol style="list-style-type: none"> <li>1. Equestrian Easement was recorded as 21' in this area on referenced document. More recent replat changed it to 20 ft (Doc. No. 2025-316).</li> <li>2. Doc. No. 2005-76 shows Variable Width Equestrian Trail Esmt. in this area.</li> </ol> </div>			
<p><b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b>  <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="243 842 1029 982" 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 1157 1040 1297" 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>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 1503 1040 1644" 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		
<p><b>4. Compliance with this DDC</b></p>			
<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>	<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 proposed Final Replat is not compliant with this criterion. See the following comments:</p> <ol style="list-style-type: none"> <li>1. Include property, business or homeowner’s association covenants as they relate to the maintenance of open space, common areas and facilities. (DDC 8.3.2.D and DDC 7.10.4.C.2)</li> </ol>			
<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> <p>The Final Replat was not submitted at an adequate level of detail. See the following comments:</p> <ol style="list-style-type: none"> <li>1. Add city project number [FR26-0006] (FPC 2.2)</li> <li>2. Use hatching pattern to show easements and right-of-way being abandoned and add symbol to legend. Label old lot lines from the most recent previous replat, Doc No: 2025-136. (FPC 3.2, 3.6)</li> <li>3. Use the City Standard Plat Signature Block (FPC 5.8)</li> <li>4. Use the City Standard Surveyor Signature Block (FPC 5.8)</li> <li>5. Dimension does not match plan view (FPC 5.2)</li> <li>6. Add a distance of 105.96’ (FPC 5.2)</li> </ol>		<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> <p>The Final Replat is compliant with this criterion.</p>		<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> <p><b>Findings:</b></p> <p>There are no development agreements applicable to this proposed Final Replat.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>7. Minimizes Adverse Environmental Impacts</b></p>				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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 data-bbox="253 436 1117 541" 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"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>			
<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="253 781 1117 886" 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"/>
<b>9. Minimizes Adverse Fiscal Impacts</b>			
<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 1096 1117 1201" 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"/>
<b>10. Compliance with Utility, Service, and Improvement Standards</b>			
<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 1486 1133 1558" style="border: 1px solid black; padding: 5px;"> <p>The Final Replat is compliant with this criterion.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>11. Provides Adequate Road Systems</b>			
<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 1843 1117 1915" style="border: 1px solid black; padding: 5px;"> <p>The Final Replat is compliant with this criterion.</p> </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
<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>  <div style="border: 1px solid black; padding: 5px; width: fit-content;">The Final Replat is compliant with this criterion.</div> </p>	<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 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>  <div style="border: 1px solid black; padding: 5px; width: fit-content;">There is no phasing plan associated with the Final Replat.</div> </p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
<b>14. Whether the Replat is consistent with the intent of the underlying zoning district.</b>			
<p><b>Findings:</b>  <div style="border: 1px solid black; padding: 5px; width: fit-content;">This criterion is not applicable because the Final Replat is in the City's ETJ 1.</div> </p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>15. Whether the Replat complies with applicable dimensional and development standards in this DDC.</b>			
<p><b>Findings:</b>  <div style="border: 1px solid black; padding: 5px; width: fit-content;">The Final Replat is not compliant with this criterion. See Criteria #4.</div> </p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>16. Whether the Replat does not affect a recorded easement without approval from the easement holder.</b>			
<p><b>Findings:</b>  <div style="border: 1px solid black; padding: 5px; width: fit-content;">The Final Replat is compliant with this criterion.</div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
<p><b>17. Whether the Replat will not result in adverse impacts to surrounding property.</b></p> <p><b>Findings:</b>  <div data-bbox="204 338 1040 407" style="border: 1px solid black; padding: 2px;">The Final Replat is compliant with this criterion.</div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>18. Whether the Replat will not limit the city’s ability to provide adequate and sufficient facilities or services.</b></p> <p><b>Findings:</b>  <div data-bbox="204 581 1040 651" style="border: 1px solid black; padding: 2px;">The Final Replat is compliant with this criterion.</div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>19. Whether the Replat complies with all other ordinances and plans and regulations adopted by the city, including the Comprehensive Plan and other long-range or special purpose area planning documents.</b></p> <p><b>Findings:</b>  <div data-bbox="204 863 1040 932" style="border: 1px solid black; padding: 2px;">The Final Replat is compliant with this criterion.</div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>