

Planning Staff Analysis

FP26-0012, Summit 35

District 3

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 68.175-acre site

APPLICANT:

Mack Mattke of Kimley Horn & Associates on behalf of CATDENTON 35

RECOMMENDATION:

Staff recommends denial of this plat as it does not meet the established criteria for approval. However, staff has no objection to the requested extension, which could be granted to a date certain of April 29, 2026.

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>The proposed Final Plat does not meet all criteria set forth by the Final Plat Checklist (FPC), authorized by DDC Subsection 2.6.4D.3. Prior to approval, the following comments must be addressed:</p> <ol style="list-style-type: none"> 1. Include all abbreviations, line types, symbols in legend and confirm that all labels are accurate. (FPC 2.12) 2. Include information in legal description of the monument being passed for the corner. (FPC 3.2 and FPC 5.2) 3. Clarify all elements shown in the plat. (FPC 3.2a) 4. Add project number FP26-0012 to all sheets. (FPC 2.2) 5. Include information in legal description of the monument being passed for the corner. (FPC 3.2 and FPC 5.2) 6. Provide location and distance in plat graphic of where this bearing is shown. (FPC 3.2 and FPC 5.2) </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. 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. Findings:</p> <div data-bbox="253 300 1040 436" 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. See criterion #15 for details.</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. Findings:</p> <div data-bbox="253 606 1040 730" style="border: 1px solid black; padding: 5px;"> <p>There is no conflict.</p> </div>	<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. Findings:</p> <div data-bbox="253 1001 1040 1304" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat is consistent with the zoning requirements. In order to comply with the criterion, the following must be addressed:</p> <ol style="list-style-type: none"> 1. Pending CEP25-0080 approval </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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. Findings:</p> <div data-bbox="243 1478 1029 1621" 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. Findings:</p> <div data-bbox="253 1759 1040 1871" 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"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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. Findings: <div data-bbox="253 331 1040 472" 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"/>
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. Findings: <div data-bbox="253 680 1110 821" style="border: 1px solid black; padding: 5px;"> The Final Plat does not comply with the applicable DDC requirements as described herein. See Criteria #1, 2, and 15 for details. </div></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div data-bbox="253 957 1149 1066" 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 1341 1118 1493" style="border: 1px solid black; padding: 5px;"> The proposed Final Plat does not meet all criteria set forth by the Final Plat Checklist, authorized by DDC Subsection 2.6.4D.3. See Criteria #1, 2, and 15 for details. </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 1730 1117 1871" 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"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
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.</p> <p>Findings:</p> <div data-bbox="253 436 1117 558" 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"/>
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.</p> <p>Findings:</p> <div data-bbox="253 772 1117 894" 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"/>
9. Minimizes Adverse Fiscal Impacts			
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <div data-bbox="253 1056 1117 1178" 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"/>
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.</p> <p>Findings:</p> <div data-bbox="253 1476 1133 1871" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with the applicable DDC requirements as described herein. See Criteria #1, 2, and 15 for details.</p> </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
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="253 436 1117 537" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat has adequate road capacity and complies with this criterion.</p> </div>	<input checked="" type="checkbox"/>	<input 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="253 905 1104 1043" style="border: 1px solid black; padding: 5px;"> <p>There is adequate capacity to serve the proposed development.</p> </div>	<input checked="" type="checkbox"/>	<input 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 1283 1104 1354" 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>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <div data-bbox="204 1631 1039 1732" style="border: 1px solid black; padding: 5px;"> <p>There is no approved preliminary plat 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>15. Whether the development will substantially comply with all requirements of this DDC.</p> <p>Findings:</p> <div data-bbox="204 300 1105 1077" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with the applicable requirements of the Denton Development Code as described herein and as outlined below:</p> <ol style="list-style-type: none"> 1. All utility easements shall be a minimum of 16 feet. The general criteria to define minimum easement widths are listed in Table 7.B: Minimum Easement Widths of the DDC. (DDC 7.6.7.A) 2. Ensure all easements are shown on plat with recording information. CEP shows an existing temporary construction easement in this area. (DDC 2.6.2.C.6.b, DDC 8.4.4 and FPC 3.6) 3. Drainage easements are subject to further review based on pending comments from CEP25-0080. This configuration does not appear to be the same as the most recent CEP submittal. (DCM 4.12 and FPC 3.7) 4. If a fire lane is to serve multiple properties or travel through another private property, a shared used access easement needs to be provided. (DDC 7.8.10) 5. Drainage easements are subject to further review based on pending comments from CEP25-0080. (DCM 4.12 and FPC 3.7) 6. Indicate which easements are to be vacated by plat or separate instrument (DDC 2.6.2.C.6.b, DDC 8.4.4 and FPC 3.6) </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> <div data-bbox="204 1283 1078 1409" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with the applicable technical standards and specifications as described herein. See Criteria #1 and #15 for details.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>