

# Planning Staff Analysis

FP25-0021 / Red Bird Ridge Addition Phase 2

## Planning & Zoning Commission

### REQUEST:

Final plat for an approximately 8.247-acre site

### APPLICANT:

Chase Carrick of Traverse Land Surveying on behalf of Cana Capital Series 9 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 requested extension, which could be granted to July 23, 2025.

## 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><b>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.</b></p> <p><b>Findings:</b></p> <div><p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p><p>PLAN1.2 Provide a legend for all abbreviations, graphic symbols, and line types use (FPC 2.12)</p><p>PLAN1.3 Use City of Denton Standard Plat Notes to create your plat notes, owner's dedication blocks, and signature blocks. Language and order of notes should match the standard plat notes list unless necessary and approved to be changed. (FPC 5.8)</p><p>PLAN1.8 Add a note on the plat indicating private streets and who will maintain. (DDC 8.3.6) (FPC 6.1)</p><p>PLAN1.7 Include total area of the plat in acres and square feet (FPC 5.3)</p><p>ENG - 1.1) Label city limit, county limit, extraterritorial jurisdiction, and/or survey (abstract) lines within and adjacent to property. (FPC 4.4)</p><p>ENG - 1.2) Provide a copy of a current title policy or title survey for the subject property (FPC 1.5)</p><p>ENG - 1.3) Provide specific language for private streets for private street subdivisions, privately owned facilities, water quality easements or specific encroachment and maintenance easements. (DDC 4.7.6, DDC 8.3.6, DDC 8.3.6.J.8 for Gated Communities and FPC 6.1)</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
	<div>ENG - 1.6) Label existing and proposed street names, indicate street name breaks with a diamond shape. (FPC 3.16)</div> <div>ENG - 1.7) Include phone numbers of owner and engineer. (FPC 2.4)</div> <div>ENG - 1.8) Include City assigned project number: FP25-0021. (FPC 2.2)</div>			
	<b>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.</b> <b>Findings:</b> <div>The Final Plat does not meet the review criteria of DDC Section 2.6.4D as described herein.</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<b>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.</b> <b>Findings:</b> <div>There is no conflict.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Prior Approvals</b>				
	<b>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.</b> <b>Findings:</b> <div>There is no prior land use approval, plan, development agreement, or plat.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<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> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</b> <b>Findings:</b> <div>There are no competing plan goals, policies, and strategies for this site.</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
<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> <b>Findings:</b> <div>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. Compliance with this DDC</b>				
<b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b> <b>Findings:</b> <div>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. The proposed Final Plat does not comply with the following applicable DDC requirements:  ENG - 1.9) Street must be 65' in width per Rural Street Standard.  ENG 1.10) Cul-de-sac ROW dedication must be 68' (COD Standard Detail T106C)  PLAN1.9 DDC Subsection 8.3.2.C.2 states that no more than three residential lots may take access off an easement. Road should be on a separate HOA lot (not easements at the front of each lot) or a subdivision variance from the Planning and Zoning Commission is necessary.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b> <b>Findings:</b> <div>The Final Plat was submitted at an adequate level of detail.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>				
<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> <b>Findings:</b> <div>The Final Plat does not comply with all access and roadway design specifications as required in the City of Denton Standard Details and as detailed herein:  ENG - 1.9) Street must be 65' in width per Rural Street Standard.  ENG 1.10) Cul-de-sac ROW dedication must be 68' (COD Standard Detail T106C)</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>6. Consistent with Interlocal and Development Agreements</b>				
<b>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the</b>		<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
<b>terms and conditions of any such agreements incorporated by reference into this DDC.</b> <b>Findings:</b> <div>No interlocal or development agreements are applicable to this project.</div>				
<b>7. Minimizes Adverse Environmental Impacts</b>				
<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> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>				
<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> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>9. Minimizes Adverse Fiscal Impacts</b>				
<b>a. The proposed development should not result in significant adverse fiscal impacts on the city.</b> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10. Compliance with Utility, Service, and Improvement Standards</b>				
<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> <b>Findings:</b> <div> The Final Plat does not comply with all access and roadway design specifications as required in the Denton Development Code and City of Denton Standard Details and as detailed herein:  ENG - 1.9) Street must be 65' in width per Rural Street Standard.  ENG 1.10) Cul-de-sac ROW dedication must be 68' (COD Standard Detail T106C)  PLAN1.9 No more than three residential lots may take access off an easement. (DDC 8.3.2.C.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
<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 style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with all access and roadway design specifications as required in the Denton Development Code and City of Denton Standard Details and as detailed herein:  ENG - 1.9) Street must be 65' in width per Rural Street Standard.  ENG 1.10) Cul-de-sac ROW dedication must be 68' (COD Standard Detail T106C)  PLAN1.9 No more than three residential lots may take access off an easement. (DDC 8.3.2.C.2)</p> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>12. Provides Adequate Public Services and Facilities</b>				
<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 style="border: 1px solid black; padding: 5px;"> <p>Adequate public service and facility capacity exists to serve the property. Lots will be served by Town of Argyle water and private septic systems permitted by Denton County.</p> </div>		<input checked="" type="checkbox"/>	<input 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 style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat is the second and final planned phase of Red Bird Ridge Addition. All required streets and utilities will be provided for in Phase 1 necessary to develop Phase 2.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>	<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
Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, preliminary plats are no longer required. A preliminary plat was not prepared for this project.				
<b>15. Whether the development will substantially comply with all requirements of this DDC.</b> <b>Findings:</b> <div>As discussed herein, the Final Plat does not comply with the applicable requirements of the Denton Development Code.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</b> <b>Findings:</b> <div>As discussed herein, the Final Plat does not comply with the applicable Standard Details adopted by the City.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>