

Planning Staff Analysis

FP26-0001/ DNT Interchange Development

ETJ

Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 119.653-acre tract.

APPLICANT:

Allison Engineering Group on behalf of Denton & North Texas Railroad LLC.

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 to a date certain of February 25, 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 Final Plat does not meet all applicable review criteria. See Criterion 2, 4-5, 12, 15-16.</p> </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>Findings:</p> <div 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 15-16</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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>There is no conflict.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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</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>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> <div data-bbox="253 369 1016 468" style="border: 1px solid black; padding: 5px;"> <p>1. Engineering Plans, CEP25-0058, must be approved prior to approval of the Final Plat (DDC 8.2.3.A).</p> </div>			
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div data-bbox="204 674 969 816" 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</p> <p>Findings:</p> <div data-bbox="253 989 1016 1125" 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. 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.</p> <p>Findings:</p> <div data-bbox="253 1331 1016 1480" 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>4. Compliance with this DDC</p>			
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</p> <p>Findings:</p> <div data-bbox="253 1724 1016 1820" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat is not compliant with this criterion. See Criterion 15.</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
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <ol style="list-style-type: none"> 1. Provide a legend for all abbreviations, graphic symbols, and line types used. Easement line type should be different from floodplain line type. (FPC 2.12) 2. Display the location of the centerline of creeks and drainage ways (i.e. Moores Branch Tributary 11 and 11.1) 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) 3. Show floodplain buffer extending 200 feet from the edge of the floodplain. Note the current effective Flood Insurance Rate Map and any map changes (Letters of Map Amendment, Conditional Letters of Map Revision, etc.). Show, label, and dimension drainage and floodway easements. (DDC 7.5.3I, N; DCM 4.12, FPC 3.11) <ol style="list-style-type: none"> a. Drainage and floodplain easements shall be provided for all open natural streams or manmade drainage facilities. Easements shall encompass all areas lower than a ground elevation defined as being the highest of the following: <ol style="list-style-type: none"> i. 15 feet outside the calculated fully developed water surface elevation and associated flood boundary based on a design storm whose frequency is 100 years. (DCM 4.12) </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>5. Compliance with Other Applicable Regulations</p>			
<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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is not compliant with this criterion. See Criterion 4 & 15.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>6. Consistent with Interlocal and Development Agreements</p>			
<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.</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>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>There are no development agreements applicable to this proposed Final Plat.</p> </div>			
<p>7. Minimizes Adverse Environmental Impacts</p>			
<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 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>8. Minimizes Adverse Impacts on Surrounding Property</p>			
<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 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>9. Minimizes Adverse Fiscal Impacts</p>			
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</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>10. Compliance with Utility, Service, and Improvement Standards</p>			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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: <div data-bbox="253 436 1018 506" style="border: 1px solid black; padding: 2px;">The Final Plat is compliant with this criterion.</div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: <div data-bbox="253 800 1018 869" style="border: 1px solid black; padding: 2px;">The Final Plat is compliant with this criterion.</div> </p>	<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: <div data-bbox="253 1241 1018 1356" style="border: 1px solid black; padding: 2px;">The Final Plat is not compliant with this criterion. See Criterion 2.</div> </p>	<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: <div data-bbox="253 1633 1018 1736" style="border: 1px solid black; padding: 2px;">There is no phasing plan associated with the proposed Final Plat.</div> </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
<p>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>There is no preliminary plat associated with the proposed Final Plat.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>15. Whether the development will substantially comply with all requirements of this DDC.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <ol style="list-style-type: none"> 1. The floodplain standards defined in Subsection 7.4 of the Denton Development Code shall apply to all land and all development within the extraterritorial jurisdiction (ETJ) of the City. (DDC 7.4.2.A.2) 2. Upon field verification, areas designated as FEMA 1% Annual Chance Floodplain would be classified according to the existing conditions as developed or undeveloped floodplains. Because the FIRM defines what areas qualify as Floodplain ESA, the applicant should complete any intended CLOMR, LOMR, or LOMA before proceeding with any site plans. (DDC 7.4.6) 3. Label minimum finish floor elevation for each pad site on any lot encumbered by floodplain or within the 200' floodplain buffer. If a single lot is expected to have multiple buildings, the location of each pad site must be shown on the plat with its minimum elevation. (DDC Section 7.5.3I.3, FPC 3.14) <ol style="list-style-type: none"> a. The minimum finished floor elevation is eighteen (18) inches above the one-hundred-year water surface elevation based on fully developed conditions or thirty (30) inches above the base flood elevation as indicated in the flood insurance study (FIS) or, if the BFE is unavailable, thirty (30) inches above the one-hundred-year flood elevation based on current development watershed conditions. In zone A, the FEMA's Estimated Base Flood Elevation (BFE) viewer may be used to establish flood elevations. (https://webapps.usgs.gov/infrm/estbfe/) </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>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
<p>Findings:</p> <ol style="list-style-type: none"> 1. Provide a copy of the computer-generated closure report for the metes and bounds description. (FPC 5.2) 2. Add the following plat notes (FPC 5.8): <ol style="list-style-type: none"> a. This plat was prepared to meet City of Denton and Denton County requirements. This plat was prepared from information furnished by (fill out), g.f. no. (fill out), effective date (fill out date). The surveyor has not abstracted the above property. b. Approval of this plat will expire two years from Planning and Zoning Commission approval if not recorded in the Real Property Records of the County of Denton. c. There are no gas, petroleum, or similar common carrier pipelines or pipeline easements within the limits of the subdivision. OR d. All gas, petroleum, or similar common carrier pipelines and/or pipeline easements within the limits of the subdivision are as shown. e. Ganzer Railroad Addition lies within (shaded or unshaded) zone map (number), map number (number), dated (date), as per flood insurance rate. 3. Make the following changes to the dedication language (FPC 5.4): <ol style="list-style-type: none"> a. Add "at all times the full right of ingress and egress to and from their respective easements and the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths" b. Add "their respective systems in said easements", "reading meters", "City of Denton and Denton County", and "The streets and alleys are dedicated for street purposes." c. Replace text with property owner. 4. Use text from Standard Plat Notes for signature block. (FPC 5.5) 			