

Planning Staff Analysis

FP26-0013 / Olivo Apartments

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 18.897-acre site

APPLICANT:

Quiddity Engineering on behalf of TG Duchess Denton, 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 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: 10px;"> <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> <ol style="list-style-type: none"> 1. Include City-assigned project number on all submitted documents (FPC) 2. All line types and abbreviations shall be included in the legend and called out on the face of the Final Plat. (FPC 2.12) 3. Use City’s Standard Plat notes; include all relevant plat notes and omit those not necessary. (FPC 5.8) 4. Show, label and dimension all easements. (FPC 3.6) 5. Provide right-of-way dedication on the subject property as required by DDC Section 7.8.7.A-B, City of Denton Mobility Plan, and DCM 5.3. (FPC 4.1) 6. Ensure plat graphic matches legal description (FPC 3.2) 7. Use a variety of weights and line types to differentiate between line used in graphic (FPC2.1) 8. Display the location of the centerline of creeks and drainage ways tied to dimensions in feet and hundredths of feet with bearings and angles (FPC3.12) 9. Provide a clear 3” by 3” space in the lower right-hand corner of the plat for County filing information. (FPC 2.21) </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 style="border: 1px solid black; padding: 10px;"> <p>10. Provide a copy of the computer-generated closure report for the metes and bounds description.(FPC 5.2.a)</p> <p>11. Add this comment to General Notes: "Any structure within the 200' floodplain buffer, floodplain, or floodway, shall have an elevation certificate". (DDC Section 7.5.3.I and N). (FPC 3.11)</p> </div>			
<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 style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet the review criteria of DDC Section 2.6.4D as described herein.</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 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 style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat is consistent with the previously approved Specific Use Permit (S23-0005). Civil Engineering Plans (CEP25-0035) must be approved prior to Final Plat approval (DDC 2.6.4C.2.d).</p> </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 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>	<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 data-bbox="253 233 1040 317" style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</p> </div>			
<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="253 495 1040 636" 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		
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.</p> <p>Findings:</p> <div data-bbox="253 846 1149 1146" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with the applicable DDC requirements as described herein:</p> <ol style="list-style-type: none"> 1. Final Plat review must have a CEP approved prior to approval (DDC 2.6.4C.2.d). 2. All utility easements shall be a minimum of 16 feet (DDC 7.6.7.A) Provide line and curve data for easement boundaries and tie down easements. Provide recording information for existing easements. (DDC 2.6.2.C.6.b and DDC 8.4.4). </div>	<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.</p> <p>Findings:</p> <div data-bbox="253 1287 1149 1356" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat was submitted at an adequate level of detail.</p> </div>	<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.</p> <p>Findings:</p> <div data-bbox="253 1656 1118 1797" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat complies with all other applicable city regulations.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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:</p> <div data-bbox="253 367 1117 569" style="border: 1px solid black; padding: 5px;"> <p>There are no interlocal nor development agreements associated with this Final Plat.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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. Findings:</p> <div data-bbox="253 842 1117 978" 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. Findings:</p> <div data-bbox="253 1188 1117 1314" 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. Findings:</p> <div data-bbox="253 1493 1117 1604" 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			

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:</p> <div data-bbox="253 436 1133 600" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is compliant with all utility standards.</p> </div>	<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:</p> <div data-bbox="253 873 1117 957" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is compliant 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 1297 1101 1444" style="border: 1px solid black; padding: 5px;"> <p>There are adequate facilities to serve the development. Civil engineering plans are under review to ensure adequate infrastructure improvements and extensions.</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 1749 1101 1881" style="border: 1px solid black; padding: 5px;"> <p>There is no proposed phasing plan as part of this development.</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. Findings:</p> <div data-bbox="204 331 1037 506" 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"/>
<p>15. Whether the development will substantially comply with all requirements of this DDC. Findings:</p> <div data-bbox="204 680 1037 785" style="border: 1px solid black; padding: 5px;"> <p>As discussed herein, the Final Plat does not comply with all applicable requirements of the Denton Development Code.</p> </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. Findings:</p> <div data-bbox="204 968 1037 1073" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does comply with the applicable technical standards and specifications adopted by the City.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>