

**Planning Staff Analysis**  
**FP22-0024/ Railyard Ph 1 Addition**  
**City Council District #3**  
**Planning & Zoning Commission**

**REQUEST:**

Final Plat for an approximately 9.3388-acre site

**APPLICANT:**

Caitlin Flaherty with Kimley-Horn on behalf of Lang Sycamore LLC

**RECOMMENDATION:**

Staff recommends denial of this plat as does not meet the established approval criteria for Final Plats, as shown in the following table:

**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 style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all review criteria, as detailed in Approval Criteria 4 and 10 below and 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"> <li>1. Provide the city assigned project number in the lower right-hand corner of the plat. (FPC 1.1)</li> <li>2. The Building Line and Overhead Utility Line line types within the legend do not appear to be used on the plat. Revise legend and include line type for the adjacent property lines. (FPC 1.10)</li> <li>3. Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 1.13)</li> <li>4. Show, label, and dimension all existing and proposed easements. The civil plans call for a 17.5’ proposed detention easement in the southern portion of the site to provide for maintenance and access to the underground detention system. Tie all proposed easements dedicated by plat of separate instrument to property corners so that they can be recreated in the field by others. (FPC 2.4)</li> <li>5. Provide monumentation certification. (FPC 1.11)</li> <li>6. Revise Owner’s dedication statement to include ROW and easement dedications and other land rights so as to create no conflicts or issues for staff or other public interests. The owner’s dedication discusses a drainage easement within the limits of this addition, however no drainage easements are shown on the plat. (FPC 4.4)</li> </ol> </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: 5px;"> <p>7. Show and dimension the required setbacks from the existing electric lines. No buildings are permitted within this setback, FPC 1.13.</p> <p>8. Add plat information to identify each lot. If lot is platted, just lot information, no ownership needed, FPC 3.1</p> <p>9. Need deed or plat information, FPC 3.1</p> </div>			
<p><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></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all review criteria, as detailed in Approval Criteria 4 and 10 below.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><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></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Prior Approvals</b>			
<p><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></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is consistent with the existing zoning (MN District), the approved Preliminary Plat (PP22-0013) and Civil Engineering Plans (CEP22-0036).</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
<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>  <b>Findings:</b></p> <div data-bbox="253 300 1040 548" style="border: 1px solid black; padding: 5px;"> <p>Denton 2040 Comprehensive Plan Future Land Use Map primarily designates the subject property as Downtown Denton with the eastern edge near the cemetery as Low Residential. The proposal is consistent with the Comprehensive Plan</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</b>  <b>Findings:</b></p> <div data-bbox="253 688 1040 821" style="border: 1px solid black; height: 63px;"></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>  <b>Findings:</b></p> <div data-bbox="253 995 1040 1150" style="border: 1px solid black; height: 74px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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>  <b>Findings:</b></p> <div data-bbox="253 1329 1114 1877" style="border: 1px solid black; padding: 5px;"> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <p>TC1. Please add a notation on the plans stating the Diameter at Breast Height (DBH) of trees to be preserved and their lot location. This can be added to the General Notes or wherever appropriate.</p> <p>Per DDC 7.7.4.E.7.: “A notation must be placed on the preliminary plat, final plat, site plan, and building permit identifying the dbh of trees to be preserved and the location of the lots that contain preserved trees. The notation shall limit any future unauthorized land disturbing activity or construction that would impact and/or damage the tree(s) preserved.”</p> <p>TC2. Please include the approved tree preservation plans with the final plat submittal. Approved CEP tree plans are to accompany final plats</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
<p><b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b>  <b>Findings:</b>  <div data-bbox="253 268 1102 375" style="border: 1px solid black; padding: 5px;"> <p>The subject submittal is a Final Plat, and it was reviewed based on the checklist and requirements for a final plat.</p> </div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>			
<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>  <b>Findings:</b>  <div data-bbox="253 653 1040 720" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat complies with all other regulations.</p> </div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6. Consistent with Interlocal and Development Agreements</b>			
<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>  <b>Findings:</b>  <div data-bbox="253 961 1040 1058" style="border: 1px solid black; height: 46px;"></div> </p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. Minimizes Adverse Environmental Impacts</b>			
<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>  <b>Findings:</b>  <div data-bbox="253 1331 1040 1440" style="border: 1px solid black; padding: 5px;"> <p>There are no environmentally sensitive areas (ESAs) on this property.</p> </div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>  <b>Findings:</b>  <div data-bbox="253 1682 1040 1860" style="border: 1px solid black; padding: 5px;"> <p>This final plat is not expected to cause any significant adverse impacts on surrounding properties.</p> </div> </p>	<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>9. Minimizes Adverse Fiscal Impacts</b>			
<p><b>a. The proposed development should not result in significant adverse fiscal impacts on the city.</b>  <b>Findings:</b></p> <div data-bbox="253 302 1040 499" style="border: 1px solid black; padding: 5px;"> <p>This development is not expected to result in significant adverse fiscal impacts on the city.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>  <b>Findings:</b></p> <div data-bbox="253 774 1102 1421" style="border: 1px solid black; padding: 5px;"> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> <li>1. Adequate floodplain and drainage easements shall be required that give the city the right but not the obligation to maintain and construct drainage facilities if, in the city's sole opinion, the maintenance entity is not properly maintaining the stream or drainage way. (DDC7.5.3.I.2.a)</li> <li>2. No preliminary or final plat application shall be approved unless the applicant demonstrates that there will be an adequate sanitary sewer system to serve the subdivision concurrent with development. The applicant shall demonstrate that the sanitary sewer system serving the development will be adequate at the time of preliminary plat approval for development within the city limits. Provide a note on the final plat indicating that 10" public sanitary sewer is to be constructed on E. Sycamore St to serve this development. (DDC8.4.11)</li> </ol> </div>	<input type="checkbox"/>	<input checked="" 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>  <b>Findings:</b></p> <div data-bbox="253 1698 1040 1852" style="border: 1px solid black; padding: 5px;"> <p>There is adequate road capacity to accommodate the proposed use.</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></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>Current capacity can accommodate the proposed development.</p> </div>	<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 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><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>Phasing for the development provides for adequate infrastructure.</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
<b>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</b>			
<p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The final plat conforms to the preliminary plat. There were no conditions of approval for the preliminary plat.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>15. Whether the development will substantially comply with all requirements of this DDC.</b>			
<p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Final Plat is subject to the required corrections outlined herein.</p> </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>			
<p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The proposed development will comply with all applicable standards and specifications adopted by the city which are applicable to a Final Plat.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

