



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: David Gaines

DATE: June 28, 2022

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton approving a Specific Use Permit for a Multifamily Dwelling Use on approximately 11.891 acres of land, generally located on the east side of Woodrow Lane, approximately 1,365 feet south of East McKinney Street in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for severability and an effective date. The Planning and Zoning Commission voted (4-2) to recommend approval of the request. (S22-0002e, Pathway Woodrow Multifamily, Julie Wyatt)

BACKGROUND

The request is for a Specific Use Permit (SUP) to allow multi-family dwellings on approximately 11.891 acres of land zoned Suburban Corridor (SC) District. Per Denton Development Code (DDC) Section 5.2.3, multi-family dwellings require approval of a Specific Use Permit within the SC District.

The proposal includes the following:

- **Dwelling units:** 285 one-, two-, three-, and four-bedroom units in six three-story buildings
- **Common areas:** open space and recreation amenities, including a clubhouse, community pool, playground, seating areas, pedestrian pathways, and dog park distributed throughout the site
- **Parking:** 476 total vehicular spaces provided, which includes an approximately 150-space reduction from the total required parking as allowed for Affordable Housing as permitted in DDC Section 7.9.5E; bicycle parking for each building
- **Access:** two full vehicular access connections along Duchess Drive and three pedestrian connections to Woodrow Lane and Duchess Drive
- **Design:** buildings organized to define the street edges and provide logical movement through the site; parking location and design minimizes the visual impacts from adjacent streets
- **Landscaping:** foundation plantings create a "front door" for buildings; new tree plantings in common areas enhance shared spaces
- **Connectivity:** construction of the full section of Duchess Drive along the south property line with a 10-foot shared path

Site Plan, Landscape Plan, and building elevations are provided in Exhibits 6, 7, and 8, respectively.

PLANNING AND ZONING COMMISSION

The following outlines the sequence of meetings held by the Planning and Zoning Commission related to the proposal:

- On May 11, 2022, the Planning and Zoning Commission held a public hearing and recommended denial (4-3) of the request. During the meeting, the applicant gave a presentation regarding the project, no other members of the public spoke.
 - Concerns discussed included the concentration of multifamily development in the area, the need for affordable single-family dwellings, affordability of the proposal, siting multifamily near high-capacity roadways and undesirable uses (potentially reducing the livability of the projects), and the area’s limited pedestrian connectivity. Alternatively, it was noted that the proposal meets the City’s affordable housing goals and can serve as a buffer between the existing uses on Woodrow Lane and the property to the east.
 - At the close of the public hearing, a motion was made and seconded to recommend approval of the request with staff conditions; however, that motion failed, resulting in a recommendation of denial (4-3).
- On Wednesday, May 18, 2022, Commissioner Jason Cole requested in writing that the item be placed on the May 25, 2022 Planning and Zoning Commission agenda for reconsideration in accordance with Section 2-29(g)(11) of the City’s Code of Ordinances.
 - At the meeting, the Commission voted to hold a new public hearing on June 22, 2022 and reconsider the recommendation (5-2).
 - Notification of the new public hearing was sent to the local newspaper and surrounding property owners in accordance with DDC Section 2.4.6 for the June 22, 2022 meeting.
- The Planning and Zoning Commission held a second public hearing at the June 22, 2022 meeting.
 - Several members of the nearby Southeast Denton Neighborhood Association (SEDNA) spoke in opposition to the proposal, stating concerns related to traffic on Woodrow Lane, speeding within the SEDNA neighborhood (particularly on Morse Street, Lakey Street, and Kerley Street), area overcrowding, and the need for more commercial uses. Residents were also frustrated that the applicant had not held a community meeting with the SEDNA organization. In total, 10 residents either spoke or filled out cards in opposition to the item.
 - Two representatives from Denton Area Housing Authority spoke in favor of the proposal, citing Denton’s need for affordable housing, including one-bedroom units for seniors.
 - The applicant attended the meeting, gave a brief presentation, and answered questions related to the proposal.
 - At the close of the public hearing, a motion was made and seconded to recommend approval of the request with staff conditions. The motion passed (4-2).

A full Staff Analysis of the SUP request is provided as Exhibit 2.

OPTIONS

1. Approve
2. Approve Subject to Conditions
3. Deny
4. Postpone Item

RECOMMENDATION

The Planning and Zoning Commission recommended approval of the request with staff recommended conditions (4-2).

Staff recommended approval of the SUP request with the following conditions:

1. The attached Site Plan and Landscape Plan reflect an intent to comply with the 2019 Denton Development Code, as amended (DDC), requirements for parking, street trees, minimum landscape and tree canopy areas, open space, and landscape screening, with administrative approval of alternative landscape elements permitted in accordance with the DDC. Minor

alterations to the depicted locations of individual plantings may be approved by City staff, provided that the final landscaping, as planted, complies with the attached landscape plan in terms of location of required landscape elements and open space, number of trees, and minimum landscape and tree canopy percentages, as well as all elements of the DDC.

2. Notwithstanding the limited administrative approvals authorized in condition 1, the City reserves the right to require approval by ordinance of any amendments or alterations to the SUP, the attached site plan, the attached landscape plan, and the elements described in condition 3 below, including those referenced in condition 1.
3. The attached site plan and landscape plan are incorporated as requirements of the SUP. Staff shall have the ability to approve an increase or decrease of up to 5% of any of the amounts specified in requirements a-c, with the exception of the number of buildings, provided all applicable requirements of the DDC are met.
 - a. Six (6), three-story residential buildings and one (1) clubhouse building
 - b. Two hundred and eighty-five (285) dwelling units.
 - c. Four hundred and seventy-six (476) parking spaces are proposed for the multi-family development indicated on the site plan. Parking may shift to accommodate a change in the unit mixture but shall be in accordance with the requirements of the DDC and within the range of staff approvability.
4. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.
5. The project shall comply with Denton Development Code Section 7.7.4, *Tree Preservation*.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
2002	City Council	Citywide rezoning from Light Industrial (LI) District to Community Mixed Use Employment (CM-E) District	Approval
October 2019	City Council	Zoning transition from CM-E District to Suburban Corridor District	Approval
May 11, 2022	Planning and Zoning Commission	Specific Use Permit S22-0002 for multifamily dwellings	Recommend denial (4-3)
May 17, 2022	City Council	Specific Use Permit S22-0002 for multifamily dwellings	Continued request to the June 7, 2022 Council meeting
May 25, 2022	Planning and Zoning Commission	Reconsideration of a proposed Specific Use Permit S22-0002	Request to reconsider approved (5-2)
May 25, 2022	Planning and Zoning Commission	Preliminary Plat (PP22-0011)	Extension approved
June 7, 2022	City Council	Specific Use Permit S22-0002 for multifamily dwellings	Continued request to the June 28,

			2022 Council meeting
June 22, 2022	Planning and Zoning Commission	Preliminary Plat PP22-0011	Approved with Conditions
June 22, 2022	Planning and Zoning Commission	Final Plat FP22-0019	Approved with Conditions
June 22, 2022	Planning and Zoning Commission	Specific Use Permit S22-0002 for multifamily dwellings	Recommended approval (4-2)

PUBLIC OUTREACH:

Ten (10) notices were sent to property owners within 200 feet of the subject property for the May 11th and June 22nd Planning and Zoning Commission meetings. Three hundred fifty-three (353) courtesy notices were sent to physical addresses within 500 feet of the subject property. As of the writing of this report, staff has received threes responses in favor of the request.

A notice was published in the Denton Record Chronicle on April 30, 2022 and June 11, 2022.

A notice was published on the City’s website on April 25, 2022 and June 8, 2022.

One (1) sign was posted on the property on April 19, 2022.

The applicant held a neighborhood meeting on May 4, 2022. The three attendees indicated support for the proposal, provided that the use would not negatively impact drainage and the existing electric service. If approved, prior to development of the site, the applicant must accommodate stormwater drainage with new facilities or improvements to existing facilities. Furthermore, the development must provide adequate easements and adequate electric distribution lines to comply with DDC 7.13.

Following public comment at the June 22, 2022 Planning and Zoning Commission meeting the applicant indicated an intent to attend the SEDNA meeting on Monday, June 27, 2022 to discuss the project.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Future Land Use Map
5. Zoning Map
6. Proposed Site Plan
7. Proposed Landscape Plan
8. Conceptual Elevations
9. Notification Map and Responses
10. Presentation
11. Draft Ordinance

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/

Planning Director

Prepared by:
Julie Wyatt
Senior Planner