



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Development Services

DCM: Cassey Ogden

DATE: October 21, 2025

SUBJECT

Consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Public Facilities (PF) District to Mixed-Use Downtown (MD) District on approximately 1.08 acres of land, and from Mixed-Use Neighborhood (MN) District to Mixed-Use Downtown (MD) District on approximately 42.62 acres, totaling approximately 43.7 acres of land, generally located north of Eagle Drive and south of Sycamore Street, between Bell Avenue and Myrtle Street in the City of Denton, Denton County, Texas; adopting an amendment to the city's official zoning map; providing that existing single-family residential uses within the area subject to the change in zoning district and use classification shall remain legal uses and shall not be made non-conforming by this ordinance; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [3-1] to recommend approval of the request. Motion for approval by Commissioner Ketchersid and second by Commissioner McDuff. (Z25-0011a, Expanding Opportunity in Southern Downtown, Sean Jacobson)

<https://dentontx.new.swagit.com/videos/356584?ts=3485>

BACKGROUND

The subject request is for a City-initiated rezoning of approximately 43.7-acres of land from a combination of PF and MN Districts to MD District as recommended by the recently adopted Design Downtown Denton (DDD) plan. Details regarding the plan's recommendations, the zoning history of this area, and staff's process for analyzing the area and conducting outreach are provided below. The adopted DDD plan can be accessed here: <https://www.cityofdenton.com/DocumentCenter/View/10959/Design-Downtown-Denton-Final-Report?bidId=>

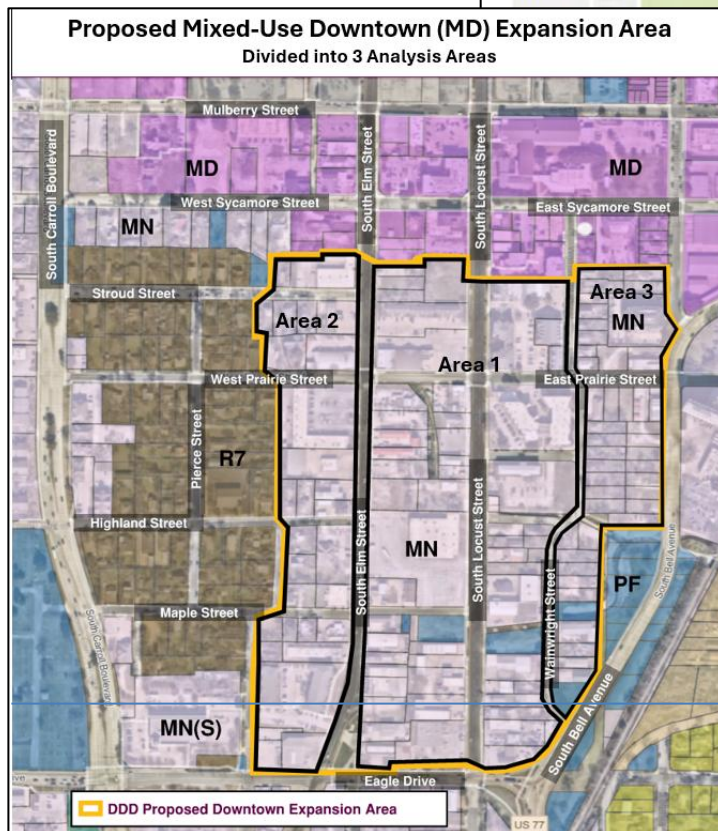
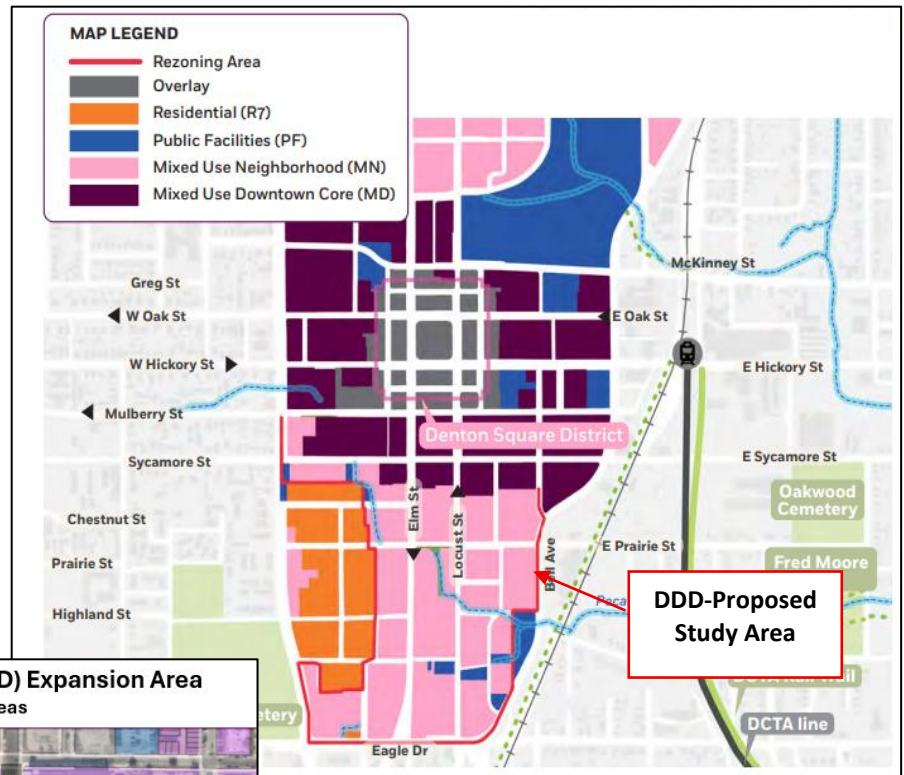
The DDD plan, a plan to guide the next twenty years of Denton's Downtown development, based on extensive community engagement, was adopted by City Council on September 17, 2024. During the DDD plan public engagement, residents and business owners expressed a desire for more businesses and more focus on revitalization in the area of Downtown south of the Square. At about the same time, as the DDD was being crafted, the City was completing the PEC-4 project, through which the majority of this area south of the Square was taken out of the floodplain, creating a unique opportunity for just the type of growth and redevelopment in the area that residents and business owners were seeking. In response, therefore, as a first step to facilitate the desired future development, the DDD plan proposed Recommendation 3A, that Southern Downtown be redeveloped with new housing, shops, and restaurants, centered around a new park. In conjunction with Recommendation 3A, Recommendation 3D specifically calls for consideration of changing the zoning of parcels south of Downtown from MN to MD.

Prior to the adoption of the 2019 Denton Development Code (DDC), much of this area south of the Square was zoned Downtown Commercial-General (DC-G), indicating that there had previously been a long-term

vision for downtown-style development in this area. However, at the time of the City-wide zoning transition in 2019, there was a desire to scale back the use of Downtown zoning to focus only on the part of Downtown that was covered by the Downtown Implementation Plan (DTIP), rather than applying the MD designation to all areas previously zoned DC-G. As such, the area south of the Square was rezoned from DC-G to MN zoning with the 2019 DDC adoption, rather than MD, limiting Downtown-style development in this area, and now posing a potential roadblock to the DDD vision of a Southern Downtown.

Therefore, in order to realize the vision of a future Southern Downtown, the adopted DDD plan recommended that staff examine rezoning the MN parcels south of the square to MD to stimulate development south of Downtown. The inset map to the right is an excerpt from the DDD plan that shows the initial study area proposed for rezoning (the pink MN area outlined in red).

Following the DDD's recommendation, city staff engaged in extensive analysis of the area proposed by the DDD for



expansion of MD zoning, including dividing the initial proposed study area (inset image, right) into 5 smaller Analysis Areas (inset image, below). From this analysis, Staff developed the initial recommendation that the majority of the study area (Analysis Areas 1-3 on map below) should be rezoned to MD. At the same time, staff also came to the initial conclusion that two somewhat disconnected parts in the northwest and southwest of the overall study area boundary lacked many of the characteristics that justified rezoning the majority of the area, and that these two smaller parts should, therefore, retain their current MN zoning.

The map to the left depicts the final 43.7-acre area recommended by staff for the expansion of MD zoning as a part of this request. The lots in this area share many characteristics, including

zoning history, recent infrastructure improvements, and more. The majority are developed with commercial or multifamily uses, with clusters of single-family development along the east and west edges of the area. A significant number of vacant lots scattered throughout the area, providing ample opportunities for reuse and/or redevelopment.

Staff also made the initial determination that the rezoning ordinance should be written to ensure that current single-family residential dwellings in the area proposed for rezoning would remain legal and conforming, even though MD does not permit the Single-Family Residential use, because Single-Family Residential uses can be a compatible part of a mixed-use downtown.

Two neighborhood meetings were then held in May for residents, property owners, and business owners in and around the study area. In each meeting, following staff presentation of the analysis results and initial recommendations, as well as extensive discussion, attendees expressed unanimous support for staff's recommendations as to which areas should be rezoned and which areas should retain their current zoning (see Exhibit 11 for detailed neighborhood meeting notes), as well as the recommendation that the continued legality and conformity of existing single-family residential uses should be maintained.

Following the neighborhood meetings, staff took the initial recommendations and neighborhood feedback to the Planning & Zoning Commission for direction during their July 23rd Work Session. The Planning & Zoning Commission unanimously agreed with staff's recommendations and directed staff to move forward with the proposed expansion of MD zoning in Southern Downtown.

A full Staff Analysis is provided in Exhibit 2, and a table of key analysis points for each of the 3 "analysis areas" is attached as Exhibit 7.

PLANNING AND ZONING COMMISSION

On September 24, 2025, the Planning & Zoning Commission held a public hearing and recommended approval of the Specific Use Permit [3-1]. The Commissioner who voted in opposition to the request did not indicate reasons for their opposition during the meeting. Three members of the public spoke in opposition to the request, one member of the public spoke in support of the request, one member of the public submitted an e-comment in support, and one member of the public spoke to offer questions and express concerns about possible impacts of the request. A summary of the Commission's questions and discussion is provided below, with many of the questions having been asked in response to concerns raised by the public speakers:

- Confirmed that no business would be forced to cease operating if the proposed rezoning was approved, and that any business or use currently legally existing could continue if the proposed rezoning was approved, even if that business or use was made non-conforming by the rezoning.
- Confirmed that any business made non-conforming by the rezoning could be passed on to an heir or sold to a new owner and continue to operate.
- Inquired as to whether staff knew the reasons that those who sent opposition letters had for opposing the rezoning request.
- Inquired as to how the floodplain was removed from Southern Downtown, and whether the floodplain removal project was complete or ongoing.
- Inquired as to whether this rezoning was part of the development of a specific public or private project, which staff explained that it was not.
- Inquired as to whether the zoning change might lead to future construction in the Southern Downtown area, and about what the impacts on future street construction might be.
- Confirmed that the rezoning ordinance included a provision ensuring that the proposed rezoning would not make single-family homes non-conforming.
- Inquired as to whether the proposed rezoning would raise taxes.
- Inquired about public hearing notices for the proposed rezoning.
- Inquired as to whether the rezoning permitted the construction of high-rise multifamily.

OPTIONS

1. Approve as submitted
2. Approve subject to conditions

3. Deny
4. Postpone consideration

RECOMMENDATION:

The Planning and Zoning Commission voted [3-1] to recommend **approval with staff recommended conditions** of the zoning change request.

Staff recommends approval of the request as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.2.D of the DDC for approval of a zoning change.

Staff recommends approval of the rezoning with the following conditions, which are included as Sections 4 and 5 of the draft ordinance (the exhibits referenced within this section are exhibits attached to the Draft Ordinance, which is itself Exhibit 13 to this report):

1. All single-family residential uses within structures legally existing at the time of adoption of this ordinance that are located within the boundaries of the Property may continue to exist as legal and conforming uses, and the legally existing structures containing those single-family residential uses may continue to exist as legal and conforming structures, subsequent to passage of these regulations. These legally existing single-family residential uses are located at the addresses listed in Exhibit C. Notwithstanding single-family residences not being a permitted use in the Mixed-Use Downtown (MD) zoning district per DDC Subsection 5.2.3, these existing single-family residential uses, and the legally existing structures within which they are located, shall be exempt from the requirements of DDC Subsection 1.5.3 Nonconforming Uses and Subsection 1.5.4 Nonconforming Structures, as amended or its successors, pertaining to nonconforming uses or structures. The address(es) to which this section is applicable are listed in Exhibit C.
2. Any Specific Use Permit granted to a use located within the boundaries of the Property, which use is permitted by right within the Mixed-Use Downtown (MD) zoning district, is hereby revoked, along with any conditions of approval which were applied to any such SUP at the time of its approval. Henceforth such use(s) may operate, in accordance with all requirements of the DDC for that use within the Mixed-Use Downtown (MD) zoning district, without need of a Specific Use Permit. The address(es) to which this section is applicable are listed in Exhibit D.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
2002	City Council	Citywide rezoning from Commercial (C), Multiple-Family Dwelling District 1 (MF-1), and Planned Development (PD) to Downtown Commercial - General (DC-G) and Downtown Residential (DR-2) (1 parcel)	Approved
2019	City Council	Zoning transition from DC-G and DR-2 (1 parcel) to MN and PF	Approved

July 23, 2025	Planning and Zoning Commission	Hold a discussion and give staff direction regarding rezoning areas south of downtown to MN	Direction to proceed with staff recommendation
September 24, 2025	Planning and Zoning Commission	City-initiated rezoning from PF and MN to MD	Recommended Approval

PUBLIC OUTREACH:

- In May 2025, staff held two neighborhood meetings to present the initial results of staff's analysis of the DDD-recommended zoning change to residents, property owners, and business owners within and around the area proposed for rezoning. Postcards were mailed to 261 addresses within the area and within 500 feet of the area proposed for rezoning. The meetings were attended by 18 community members, including residents, property owners or managers, a business owner, and tenants from both within and around the proposed rezoning area. See Exhibit 11 for a map showing which parcels were represented by meeting attendees.
Attendees heard a presentation on the proposed expansion of MD zoning, which included identification of potential negative impacts and ways those could be mitigated. Attendees then had the opportunity to discuss and give feedback on staff's recommendations and express any concerns they have. Residents did raise concerns about parking, the potential for superblock development, current tenants possibly having to relocate, and the impact of increased height and density. However, they also expressed support for potential benefits of the MD expansion, including incentivizing more development, reducing parking requirements, limiting automotive businesses, and the opportunity for new development and redevelopment to bring more landscaping and sidewalks. In the end, attendees unanimously supported all of staff's recommendations for areas to rezone and ordinance language to keep single-family residences conforming. Notes from these meetings are provided in Exhibit 11.
- On September 3, 2025, 242 letters were sent to the subject properties, owners of certain types of business personal property located on the subject properties, and property owners within 200 feet of the subject properties. 970 postcards were mailed to current residents of the subject properties, and to residents within 500 feet of the subject properties, within the City limits. As of the writing of this report, the City has received responses identifying 12 properties in support and four properties in opposition.
- On September 30, 88 letters were sent to owners of properties containing certain types of uses, as well as to owners of certain types of business personal property located on the subject properties.
- A notice was published in the Denton Record Chronicle on October 4, 2025.
- A notice was published on the City's website on October 1, 2025.
- Three signs were posted around and within the area proposed to be rezoned on September 11, 2025.

DEVELOPER ENGAGEMENT DISCLOSURES

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

EXHIBITS

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Current Zoning Map
Exhibit 5 - Proposed Zoning Map
Exhibit 6 - Future Land Use Map
Exhibit 7 - Analysis Summary
Exhibit 8 - Current Land Use Map
Exhibit 9 - Floodplain Removal Map
Exhibit 10 - Comparison of Allowed Uses
Exhibit 11 - Neighborhood Meeting Feedback Results & Map
Exhibit 12 - Notification Map and Responses
Exhibit 13 - Draft Ordinance
Exhibit 14 - Staff Presentation

Respectfully submitted:

Hayley Zagurski, AICP
Planning Director

Prepared by:
Sean Jacobson
Associate Planner