

**Planning Report
Planning & Zoning Commission
Rezoning Subcommittee
July 6, 2016**

REQUEST:

Receive a report and hold a discussion regarding a staff-initiated rezoning of approximately 42.69 acres of land from Neighborhood Residential Mixed Use (NRMU) Zoning District to a Commercial Mixed Use General (CM-G) Zoning District, generally located west of Carroll Boulevard, east of Hinkle Street, and north of Denton Center.

BACKGROUND:

During the May 4, 2016 meeting of the Planning and Zoning Commission Rezoning Subcommittee, staff presented several sites for rezoning consideration. This site was included in the list of proposed rezoning sites.

One of the tracts included in this request is the 21-acre site where the annual North Texas State Fair is held. According to the North Texas State Fair Association, they are planning to relocate the fair within the next ten years. Due to this proposed relocation, there is an opportunity to evaluate the current zoning designation of NRMU and determine if the zoning is appropriate for the location once the site is vacated.

The adjacent property located west of the Fairgrounds and properties east of North Carroll Boulevard are also included in this proposal. Two of properties are vacant and the other is developed with a small retail center. Considering these properties at this time will give the City and the property owners the opportunity to plan how this area will develop in the future, and lead to a more cohesive development pattern as outlined in the Denton Plan 2030 Land Use Element and Community Character and Urban Design Element.

SITE DATA:

The subject site consists of two large tracts of land located between North Carroll Boulevard and Hinkle Drive, and two properties located east of North Carroll Boulevard.

The 21 acre tract located on the west side of North Carroll Boulevard is the current location of the North Texas State Fair.

The 19.8454 acre tract which fronts onto Hinkle Drive is undeveloped, and a stream traverses the site. Future development on both tracts of land will have significant constraints in the form of Zone X and Zone AE Floodplain, with associated Stream Buffers and Flood Plain Environmentally Sensitive Areas (ESA) encumbering much of the site.

The two properties which are located at the northwest corner of the intersection of West Sherman Drive and North Carroll Boulevard, one site located at the intersection of Sherman Drive and North

Carroll Boulevard is developed with a small retail center, while the remaining lot, platted as Lot 2R, Block 3 of the Fry Addition, is vacant.

USE OF PROPERTY UNDER CURRENT ZONING:

The purpose of the NRMU District is to encourage a mix-use activity center with light retail, office, and institutional uses that support surrounding neighborhoods or to transition from non-residential zoning districts to single-family neighborhoods. The maximum density is 30 units per acre, except townhomes which are limited to 12 units per acre. Apartments are only permitted as part of mixed-use development or with approval of an SUP. The NRMU District permits many commercial and institutional uses with limitations or an SUP. Refer to the attached list of permitted use in the NRMU District for further detail.

SURROUNDING ZONING AND LAND USES:

North: Property to the north, located between North Carroll Boulevard and Hinkle Drive is zoned Neighborhood Residential 3 (NR-3), and Neighborhood Residential Mixed Use 12 (NRMU-12). The area zoned NRMU-12 consists of the Good Samaritan Assisted Living Center, and an undeveloped tract. The property zoned NR-3 is the location of Central Baptist Church. Property located to the north, and at the northeast corner of the intersection of North Carroll Boulevard and Ross Street is zoned Neighborhood Residential Mixed Use (NRMU) and is the location of Carroll Courts Apartments.

East: Property to the east is zoned Neighborhood Residential 3 (NR-3) and is developed single family residences.

South: Property to the south is zoned Community Mixed Use General (CM-G) and is developed as Denton Center.

West: Property to the west is zoned Neighborhood Residential 3 (NR-3) and is developed single family residences, and Neighborhood Residential Mixed Use 12 (NRMU-12) that is developed with an office.

COMPATIBILITY OF PROPOSED ZONING DISTRICT WITH SURROUNDING ZONING AND LAND USES:

The CM-G district is the less intense of the two zoning districts in the Community Mixed Use Centers zoning category and is intended to provide necessary shopping, services, recreation and institutional facilities that would be required and supported by the surrounding community. Permitted commercial uses include hotels/motels, retail sales and service, restaurants, offices, and vehicle repair. Major Event Centers and movie theaters would require a Specific Use Permit (SUP). Multifamily development is permitted in the district with limitations, however, there is no maximum residential density noted in the DDC for this zoning district. The minimum lot size in the CM-G district is 2,500 square feet, the maximum building height is 65 feet, the maximum Floor Area Ratio (FAR) is 1.5 and the maximum lot coverage is 80%. Please refer to the attached schedule of permitted uses and limitation for further reference.

The location site is adjacent to one of the major commercial corridors in the City. The Denton Plan 2030 has specific policies for this area with the express goal of establishing an identifiable center and corridor through the creation of specific design standards. The site is surrounded on two sides by single family residential development and Denton Center to the south. This could potentially foster the extension of Denton Center to the north and possibly trigger the redevelopment of

Denton Center to incorporate both the additional area and with the required enhanced design standards.

COMPREHENSIVE PLAN:

Per the Future Land Use Map in Denton Plan 2030, the subject site is designated as Community Mixed Use. The intersection of North Carroll Boulevard and West University Drive is also identified as a “*Center Focus Area*”, a “*Branding Station*”, and a “*Corridor Focus Area*” on the Focus Areas Concept Map (Figure 4.1, page 118).

Community Mixed Use

“Community Mixed Use” is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complimentary. This land use applies to existing and future commercial areas in the city, where redevelopment to mixed-use is desirable. The intent is to encourage a more diverse and attractive mix of uses over time. Future development in Community Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase their economic viability, accommodate greater connectivity and mobility options, and create a sense of place to serve the local community.

Development criteria of the Community Mixed Use future land use designation include:

- a) Typical types of development may include a supermarket, drug store, specialty shops, service stations, midsize offices, employers, and high-to-moderate density housing.
- b) Places of worship, schools, and parks and open space are allowed by right.
- c) Diverse uses shall be located in close proximity to one another so that all uses are accessible from a single stop by walking or bicycling.
- d) Vertical and horizontal mixed-use is encouraged.
- e) Development should be accessible from transit routes.
- f) Commercial uses should be programmed appropriately to serve the local Denton community and to be compatible with adjacent land uses.
- g) The character of this area should be maintained by ensuring that new development is sensitive to the surrounding built and natural context in scale and form as described above.
- h) Proposals should be presented and reviewed according to the degree to which they achieve the goals of the Community Mixed Use land use and may be the subject of Small Area Plans, when significant developments are proposed.

Focus Areas

The Denton Plan 2030 provides for the creation of specific focus areas as shown on the Focus Areas Map. Specifically, Goal CC-4 states that the City should achieve exemplary urban design in future and existing development throughout Denton’s neighborhoods, centers, and land uses. Through the creation of an *Urban Design Plan*, specific design regulations should be developed for specific visually distinct areas, key centers and corridors which are identified based on the location of important community identifiers, a concentration of employment or community hubs, with opportunities for densifications, public realm improvements, and infill development. These regulations can be established through the preparation of a Small Area Plan with unique recommendations for land use, urban design, circulation, and public realm improvements which would then be implemented through the adoption of corresponding Overlay Districts, unique to each area.

CONSIDERATIONS:

1. The proposed CM-G zoning district is an extension of the existing adjacent CM-G zoning to the south. As noted in this report, the existing developments located to the east and west of the subject site are single family residences. An assisted living facility, undeveloped land, and church located to the north of the site. Good planning practice advocates an approach to zoning which would buffer or separate residential uses and districts from higher intensity commercial and industrial districts. Typically, a transitional zoning district located between the higher intensity district and a residential district is used to buffer the residential district from any adverse impacts from the higher intensity zoning district.
2. The residences to the west are separated from the subject area by Hinkle Drive, and the residences to the east are separated from the subject area by Carroll Boulevard.
3. The intersection of North Carroll Boulevard and West University Drive is designated as a Center Focus Area, a Branding Station and a Corridor Focus Area. The area within and around Denton Center is a key focus area in the City. As such, unique development standards will be required for this area in order to create a recognizable center. To create this overall vision, these standards should be applied to the entire area.
4. The subject area has significant constraints to development in the form of Zone X and Zone AE Floodplain, and associated Stream Buffers and Flood Plain Environmentally Sensitive Areas encumbering much of the site.
5. The site is bounded by Hinkle Drive and North Carroll Boulevard on the west and east side, both of which are classified as Collectors on the City of Denton Mobility Plan.

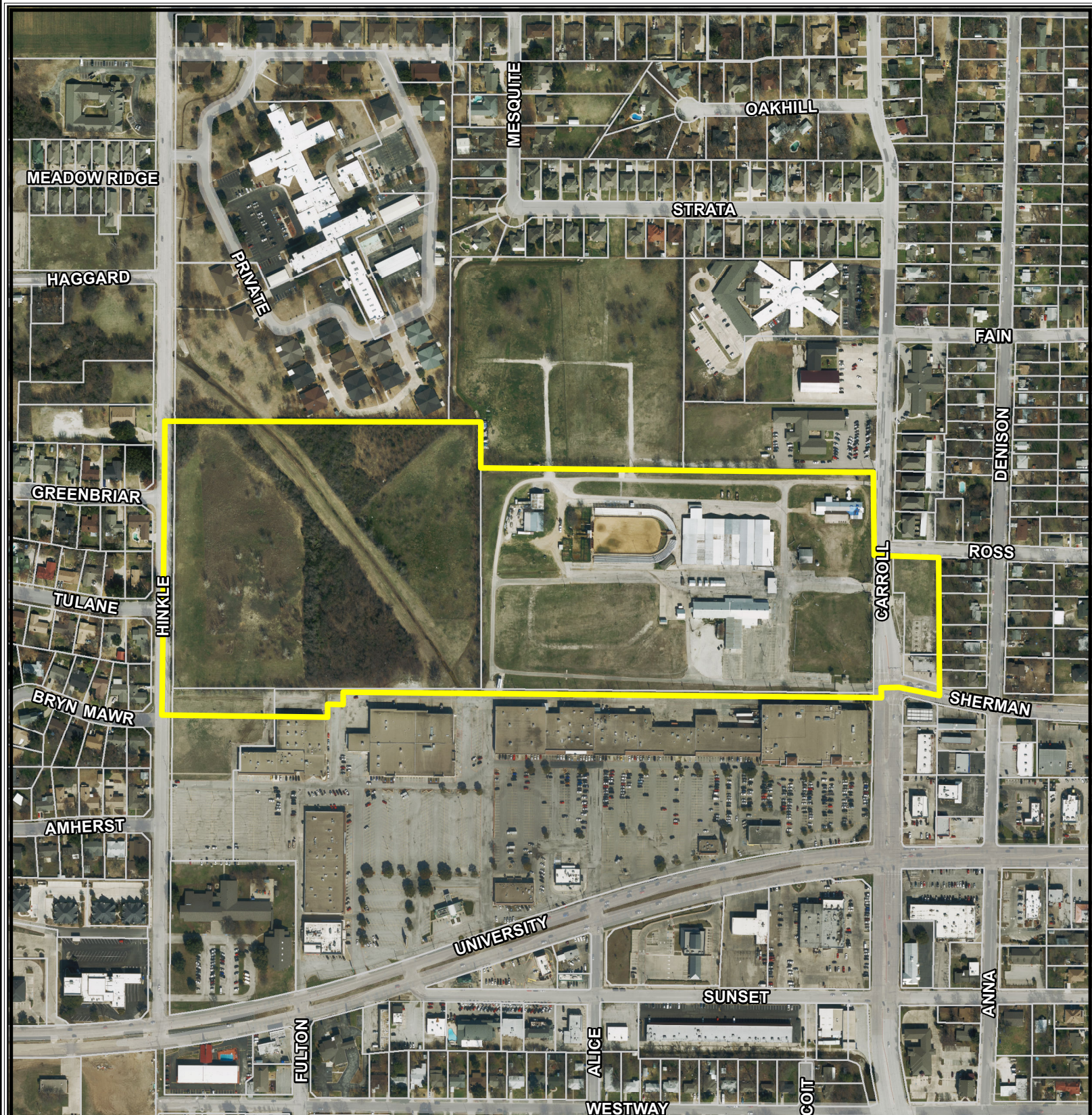
ATTACHMENTS:

- Aerial Map
- Zoning Map
- Future Land Use Map
- Mobility Plan Map
- Denton Plan 2030 Focus Areas Concept Map
- NRMU Permitted Uses
- CM-G Permitted Uses

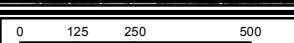
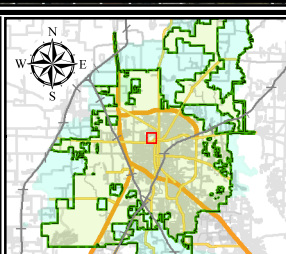
Prepared By:
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Aerial Map

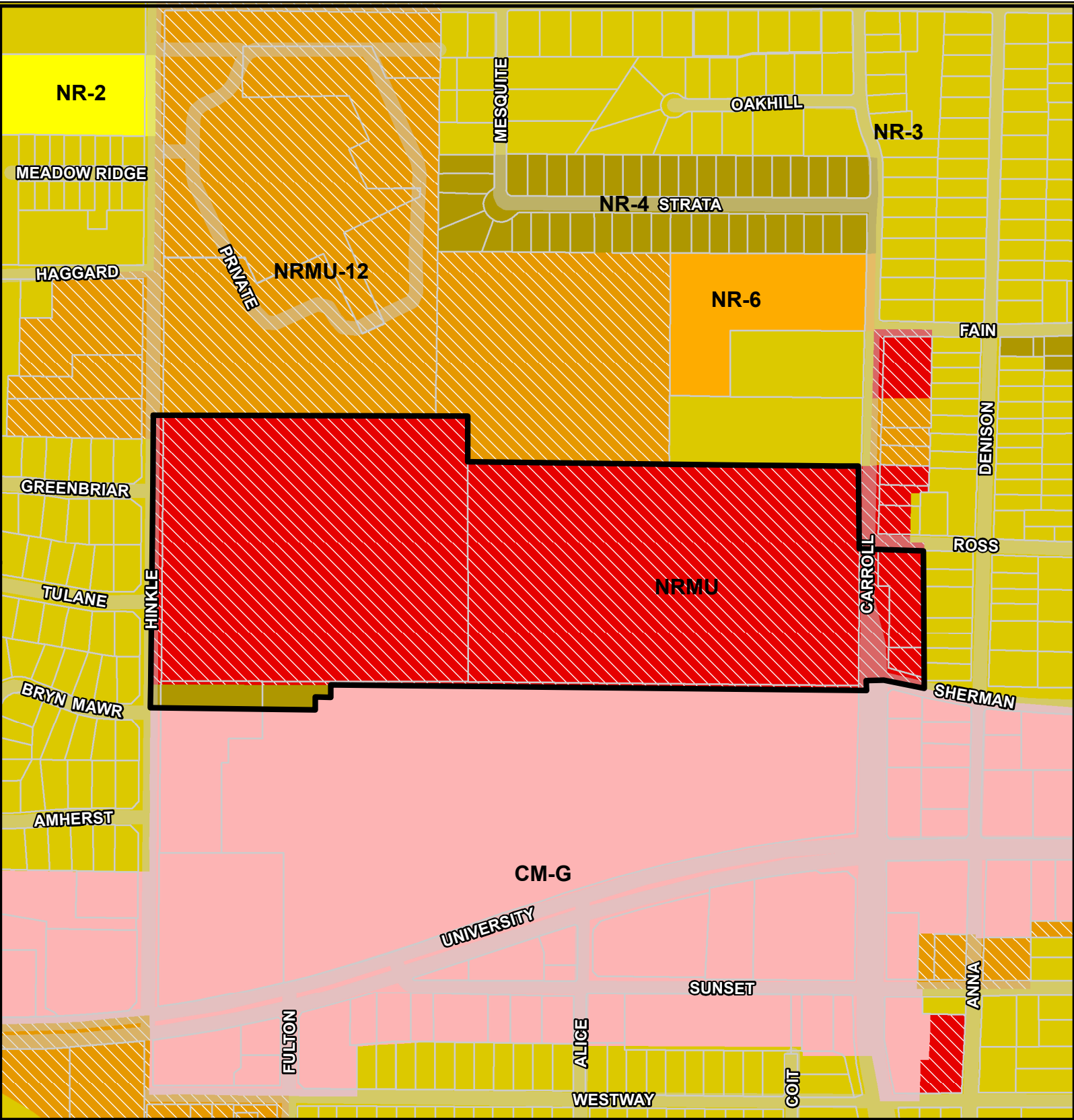


-  SITE
-  Parcels
-  Roads

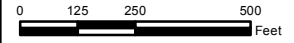
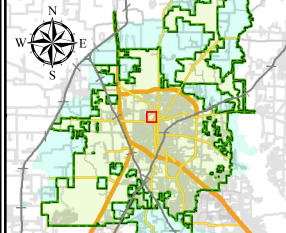


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Zoning Map

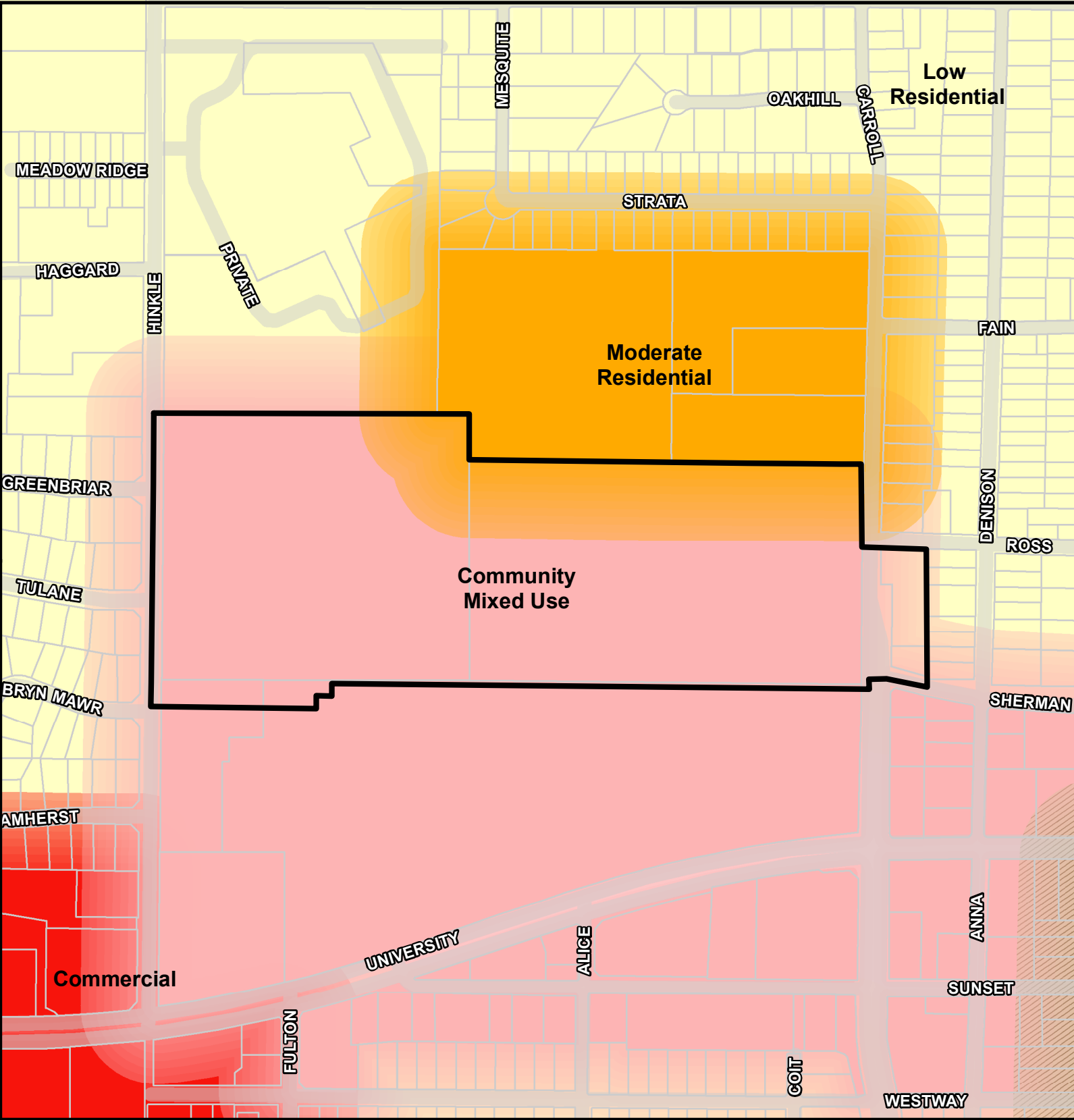











	SITE		CM-G		NR-6
	Parcels		NR-2		NRMU
	Roads		NR-3		NRMU-12
			NR-4		

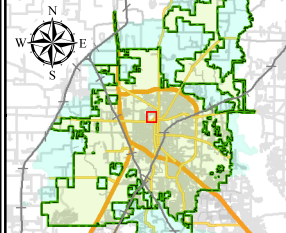


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Future Land Use Map



	SITE		Future Land Use Low Residential		Downtown Compatibility Area
	Parcels		Moderate Residential		Community Mixed Use
	Roads		Commercial		Commercial



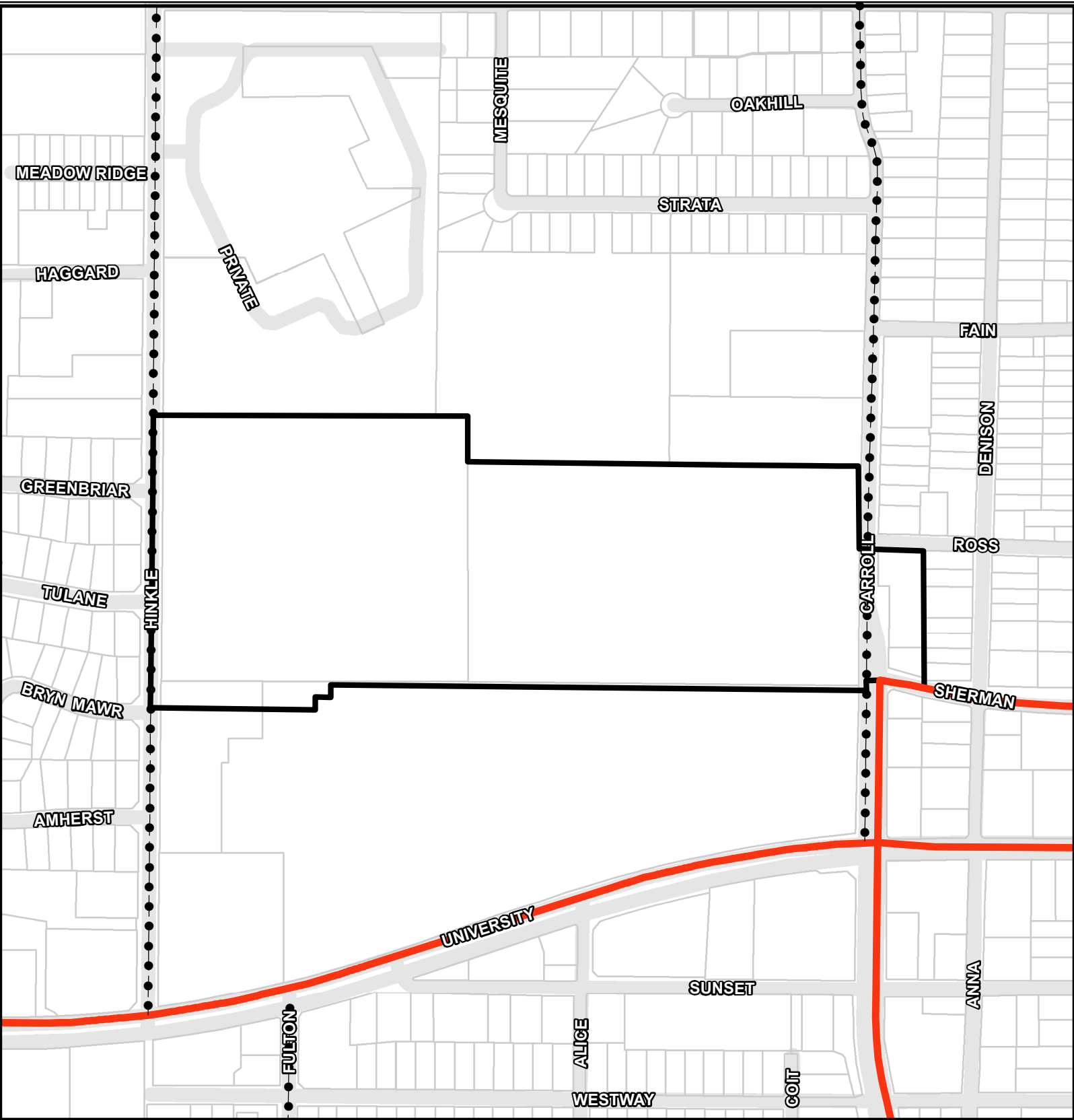
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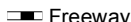

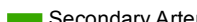






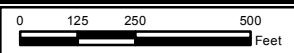
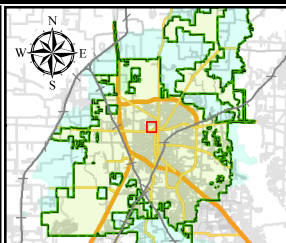
CITY OF DENTON
Development Services • GIS
Date: 6/29/2016

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Mobility Plan Map

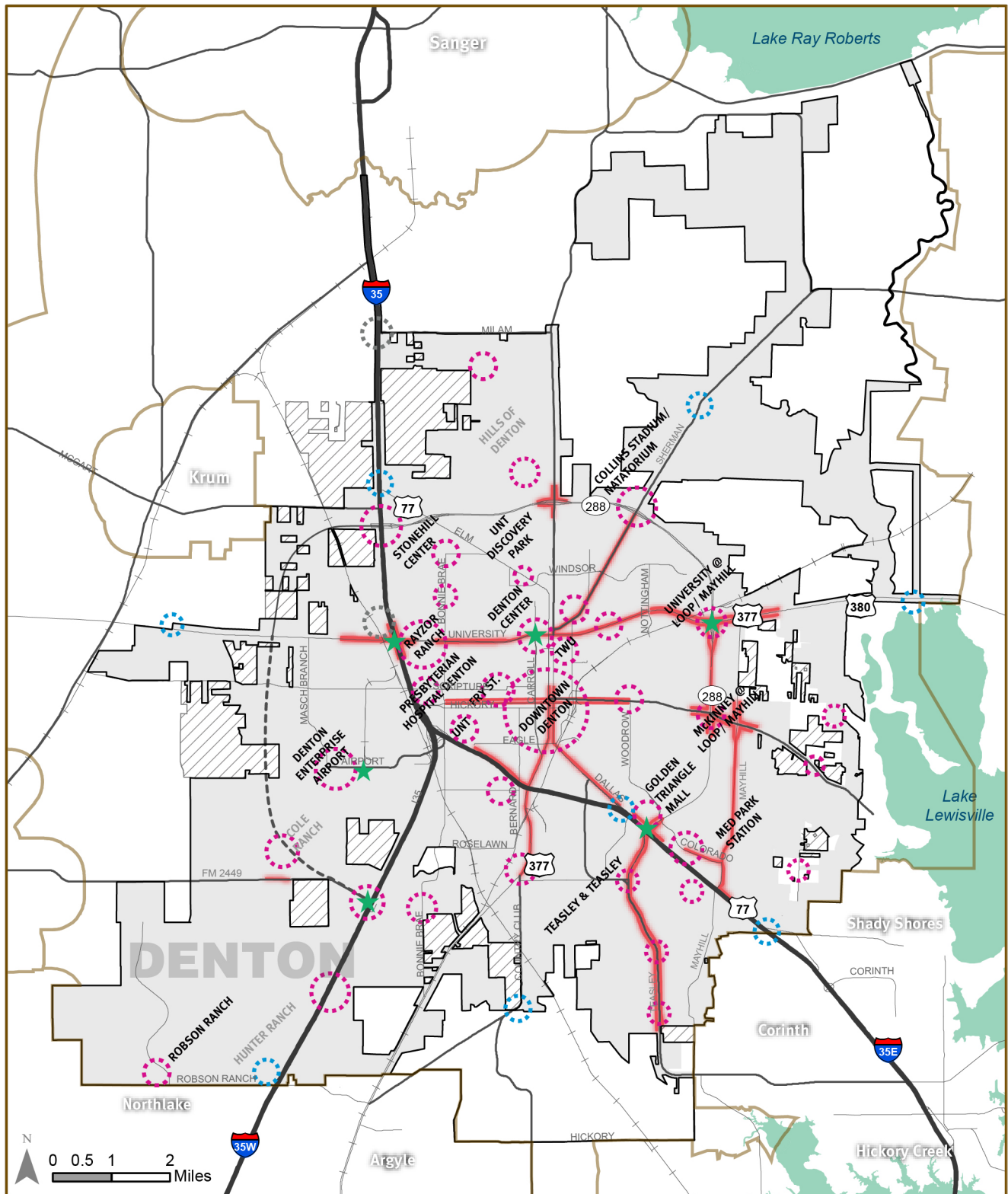


-  SITE
-  Parcels
-  Roads
-  Freeway
-  Primary Arterial
-  Secondary Arterial
-  Collector
-  Future Primary Arterial
-  Future Collector
-  Railroad



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FIGURE 4.1: Focus Areas Concept



Source: City of Denton

- Center Focus Area
- Corridor Focus Area
- Gateway Focus Area
- Travel Center Focus Area
- Branding Station
- Municipal Boundaries
- City of Denton
- ETJ

**Neighborhood Residential Mixed Use (NRMU)
Permitted Uses**

RESIDENTIAL:

- P Dwellings Above Businesses, Live/Work Units, Community Homes for the Disabled
- L(7) Livestock
- L(40) Attached Single-Family Dwellings
- L(4), SUP Multi-Family Dwellings
- SUP Group Homes
- SUP Fraternity or Sorority House
- SUP Dormitory

COMMERCIAL:

- P Home Occupation, Hotels, Bed & Breakfast, Laundry Facility
- L(17) Retail Sales and Service, Professional Services and Offices
- L(11) Restaurant or Private Club
- L(14) Administrative or Research Facilities, Broadcasting or Production Studio
- L(38) Temporary Uses
- SUP Drive-through Facility, Quick Vehicle Servicing, Outdoor Recreation

INDUSTRIAL:

- P Veterinary Clinics
- L(21) Bakeries
- L(27), SUP Gas Wells

INSTITUTIONAL:

- P Community Service, Parks and Open Space, Churches, Semi-Public Halls, Clubs, and Lodges, Adult or Child Day Care, Kindergarten, Elementary School, Middle School, Elderly Housing, Medical Centers
- L(25) Basic Utilities
- L(14) Business/Trade School
- SUP High School, WECS (Free-standing Monopole Support Structure), WECS (Building Mounted)

P = Permitted, L(#) = Permitted with a Limitation, SUP = Specific Use Permit

LIMITATIONS:

L(4) – Multi-Family is permitted only:

1. With a Specific Use Permit (SUP),
2. As part of a Mixed-Use Development; or
3. As part of a Master Plan Development, Existing; or
4. If the development received zoning approval allowing multi-family use with one (1) year prior to the effective date of Ordinance No. 2005-224; or,
5. If allowed by a City Council approved neighborhood (small area) plan.

L(7) – Limited to two animals on parcels one to three acres in size. Additional animals may be added at a rate of one per each acre over three acres.

L(11) – Limited to sit down only, and no drive up service permitted. Limited to no more than one hundred (100) seats and no more than four thousand (4,000) square feet of restaurant area.

L(14) – Uses are limited to no more than ten thousand (10,000) square feet of gross floor area.

L(17) – Uses that exceed twenty-five thousand (25,000) square feet of gross floor area per use require approval of a SUP.

L(21) – Baking and Bottling areas not to exceed two thousand five-hundred (2,500) square feet. Sales on premise of products produced required in the same zone.

L(25) – If proposed use is within 200 feet of a residential zone, approval is subject to an SUP.

L(27) – Must comply with the provisions of Subchapter 22, Gas Well Drilling and Production

L(38) – Must meet the requirements of Section 35.12.9

Community Mixed Use General (CM-G)
Permitted Uses

RESIDENTIAL:

- P Agriculture, Dwellings Above Businesses, Live/Work Units, Community Homes for the Disabled,
- L(4) & L(6) Multifamily
- L(7) Livestock

COMMERCIAL:

- P Hotels, Motels, Bed and Breakfast, Retail Sales and Service, Restaurant, Private Club, Bar, Drive-through Facility, Professional Services and Offices, Quick Vehicle Servicing, Vehicle Repair, Auto and RV Sales, Laundry Facilities, Outdoor Recreation, Indoor Recreation, Commercial Parking Lots, Administrative or Research Facilities, Broadcasting of Production Studio
- L(38) Temporary Uses
- SUP Movie Theaters, Major Event Entertainment

INDUSTRIAL:

- P Printing/Publishing, Bakeries, Veterinary Clinics
- L(27), SUP Gas Wells

INSTITUTIONAL:

- P Community Service, Parks and Open Space, Churches, Semi-public Halls, Clubs, and Lodges, Business/Trade School, Adult or Child Day Care, Kindergarten, Elementary School, Middle School, High School, Colleges, Conference/Convention Centers, Medical Centers, Mortuaries
- SUP Basic Utilities, WECS

P = Permitted, L(#) = Permitted with a Limitation, SUP = Specific Use Permit

LIMITATIONS:

L(4) – Multifamily is permitted only:

1. With a Specific Use Permit; or
2. As part of a Mixed-Use Development; or
3. As part of Master Planned Community, Existing; or
4. If the development received approval allowing multifamily use within one year prior to the effective date of Ordinance No. 2005-224; or
5. If allowed by a City Council approved neighborhood (small area) plan.

L(6) – Permitted only on 2nd story and above, when an office, retail, or other permitted commercial use is on the ground floor along any avenue, collector, or arterial street, otherwise office or retail uses are not required.

L(7) – Limited to two animals on parcels one to three acres in size. Additional animals may be added at a rate of one per each acre over three acres.

L(27) – Must comply with the provisions of Subchapter 22, Gas Well Drilling and Production

L(38) – Must meet the requirements of Section 35.12.9.