

# Planning Staff Analysis

Z25-0005a/Denton Fire Station 6

City Council District 4

## REQUEST:

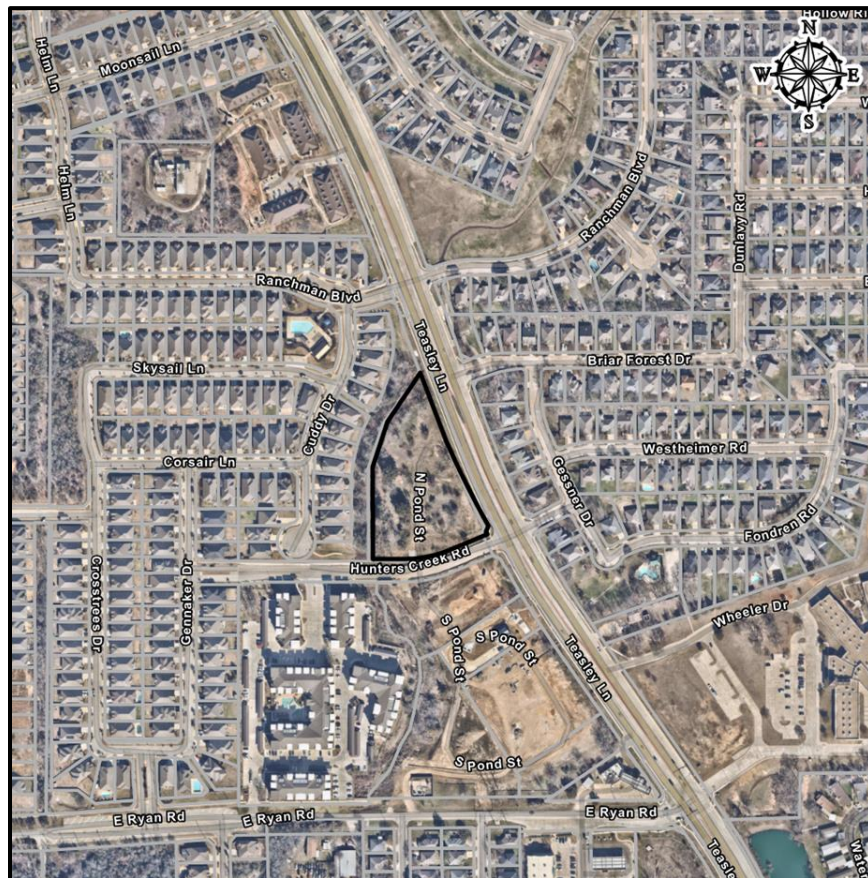
Request to rezone approximately 3.158 acres from Overlay Planned Development – Suburban Corridor (PD-SC) District to Public Facilities (PF) District.

## STAFF RECOMMENDATION:

Staff recommends approval of the rezoning of approximately 3.18 acres of land from PD-SC to PF District 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 Map Amendment (Rezoning).

## SITE DATA:

The 3.158-acre subject property is generally located at the northwest corner of Teasley Lane and Hunter's Creek Road in the City of Denton, Texas. The subject property is currently vacant and in an undeveloped state with mature trees scattered throughout the site.



## Infrastructure, Transportation, and Utilities

The subject property has street frontage on Hunter's Creek Road and Teasley Lane. Hunter's Creek Road is a City-owned, east-west Collector with two travel lanes that leads into a single-family home subdivision on the west side of the subject property. Teasley Lane, also known as F.M. 2181, is owned and maintained by TxDOT. Teasley Lane is a north-south Primary Arterial with six travel lanes and a median. Development plans for Fire Station 6 propose two points of access onto Hunter's Creek Road and no points of access onto Teasley Lane. The fire station's traffic impact is accounted for in the Traffic Impact Study done with the rezoning to PD-SC District. A traffic

signal, which was discussed as part of the rezoning of the property to PD-SC in 2023, is expected to be installed at the intersection of Teasley Lane and Hunter's Creek Road by the City.

Public water lines are situated within Teasley Lane and Hunter's Creek Road right-of-way, and public wastewater lines are in Hunter's Creek Road right-of-way.

### **Environment**

Mature trees are scattered throughout the subject property and along the western property boundary. A drainage creek runs along the western property boundary in the neighboring lot, and it is set aside for drainage and open space by the adjacent single-family home subdivision. According to the City's official Environmentally Sensitive Area (ESA) Map, an area of unassisted Riparian Buffer exists contemporaneously with the drainage creek on the neighboring lot. The subject property is not within a floodplain nor part of an ESA. Portions of the subject property bordering the drainage creek and potential Riparian Buffer are marked as green spaces on the Wildlife Corridors Map.

### **Zoning and Land Use History**

The subject property has gone through several zoning and land use changes over the past 20 years as conditions and development regulations have changed and been updated. The table shown in Exhibit 1 details all actions and reviews by the City of Denton's Council, Boards, and Commissions. The property had been subject to residential zoning until 2008 when City Council approved a rezoning to a mixed-use zoning district for the subject property and neighboring properties. Additional conditions were approved for the property in 2014 and these were carried over in the form of a planned development (PD) district with the DDC update and City-wide rezoning in 2019.

The property had been used for residential purposes since the 1980's; however, by 2022, residential use of the property had ceased, and all improvements had been removed. The property has since returned to a state indistinguishable from undeveloped land.

Starting in 2022, several staff and neighborhood meetings and public hearings took place regarding rezoning the subject property to facilitate commercial development. In April 2023, the subject property and property directly south were approved by City Council to be rezoned to the current PD-SC District. However, before any commercial development was built the subject property was purchased by the City for the development of a new Denton Fire Station 6 in December 2023.

### **Current Development Requirements and Fire Station 6**

The current zoning for the subject property is an Overlay Planned Development District with base Suburban Corridor zoning standards (PD-SC). Additional standards adopted with the PD-SC District were intended to mitigate negative impacts anticipated from commercial development on existing residential uses and to improve the visual aesthetic of Hunter's Creek Road and Teasley Lane. These requirements include additional landscape buffering on the western side of the property, additional right-of-way landscaping elements along Hunter's Creek Road, restrictions on parking lot design, and restrictions on drive-throughs.

The PD-SC District does permit Community Service land uses, such as fire stations, to be developed by-right on the subject property; however, it does not consider the unique needs of such development. As part of the PD-SC District, the Fire Station would be required to provide a minimum of three Right-of-Way Elements from DDC Table 7.E, Section A along Hunters Creek Road and a minimum 30-foot-wide landscape buffer with 30 Buffer Points selected from DDC Table 7.G along the western property line.

For safety reasons, the Fire Department has submitted plans that reflect no trees to be planted on Hunter's Creek Road that may block the view of fire trucks exiting the station and has requested

to utilize alternative locations to satisfy these planting requirements. Additionally, public artwork is going to be on the east side of the fire station, and it has been requested this area be clear of vertical landscaping to avoid obstructing the future artwork. It is not possible for the site design to take those unique conditions into account and follow the PD-SC standards as the Overlay PD does not grant staff the flexibility to approve alternative designs that are allowed for developments in one of the City's standard zoning districts. By rezoning to the standard PF District, the applicant can utilize alternative design standards to meet the specific needs of the fire station while still meeting the intent of the DDC's landscaping requirements.

#### **SURROUNDING ZONING AND USES:**

The subject property is surrounded by a variety of zoning districts and land uses. North and west of the property is a single-family home subdivision in a PD district. Teasley Lane, a six-lane Primary Arterial, runs north-south along the eastern edge of the property, and further east of Teasley Lane is a single-family home subdivision under a R4 zoning district. South of the property is land being developed under the same PD-SC District the subject property is currently zoned for, and to the southwest is a multifamily development.

<b>Northwest:</b> <u>Zoning:</u> Overlay Planned Development – Residential (PD-R6) <u>Use:</u> Single-Family Detached	<b>North:</b> <u>Zoning:</u> PD-R6 <u>Use:</u> Single-Family Detached	<b>Northeast:</b> <u>Zoning:</u> Teasley Lane right-of-way (ROW) & Residential (R4) <u>Use:</u> Single-Family Detached
<b>West:</b> <u>Zoning:</u> PD-R6 <u>Use:</u> Single-Family Detached	<b>SUBJECT PROPERTY</b>	<b>East:</b> <u>Zoning:</u> Teasley Lane ROW & R4 <u>Use:</u> Single Family Detached
<b>Southwest:</b> <u>Zoning:</u> Hunter's Creek Road right-of way (ROW) & Overlay Planned Development – Mixed-Use Neighborhood (PD-MN) <u>Use:</u> Multifamily	<b>South:</b> <u>Zoning:</u> Hunter's Creek Road ROW & PD-SC <u>Use:</u> Being developed for commercial uses.	<b>Southeast:</b> <u>Zoning:</u> Teasley Lane ROW & R4 <u>Use:</u> Single-Family Detached

#### **CONSIDERATIONS:**

A. Section 2.4.5.E of the DDC provides approval criteria applicable to all applications.

##### *1. General Criteria*

*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.*

The review criteria were applied as required.

*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.*

Section 2.7.2.D of the DDC applies to this rezoning request. An analysis of this request per those criteria can be found below in Consideration 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 through 2.9 controls.*  
There are no conflicts between the general criteria and the criteria specific for zoning requests.
- 2. *Prior Approvals*  
As detailed above, City Council approved the current PD-SC District for the subject property after multiple meetings with Council and Planning & Zoning Commission in the spring of 2023. In addition, City Council approved the purchase of the property for the purpose of constructing Fire Station 6 on December 5, 2023. Rezoning the property to PF District would better align the zoning district with the property's future use as a community service facility. The PF District would also grant staff the flexibility to consider the unique needs of the Fire Department in the facility's design.
- 3. *Consistent with the Comprehensive Plan and Other Applicable Plans*  
The decision-making authority:
  - a. *Shall weigh competing goals, policies, and strategies.*  
There are no competing goals, policies, or strategies with this proposal.
  - 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 the Comprehensive Plan.*

### **Community Health, Safety, and Services**

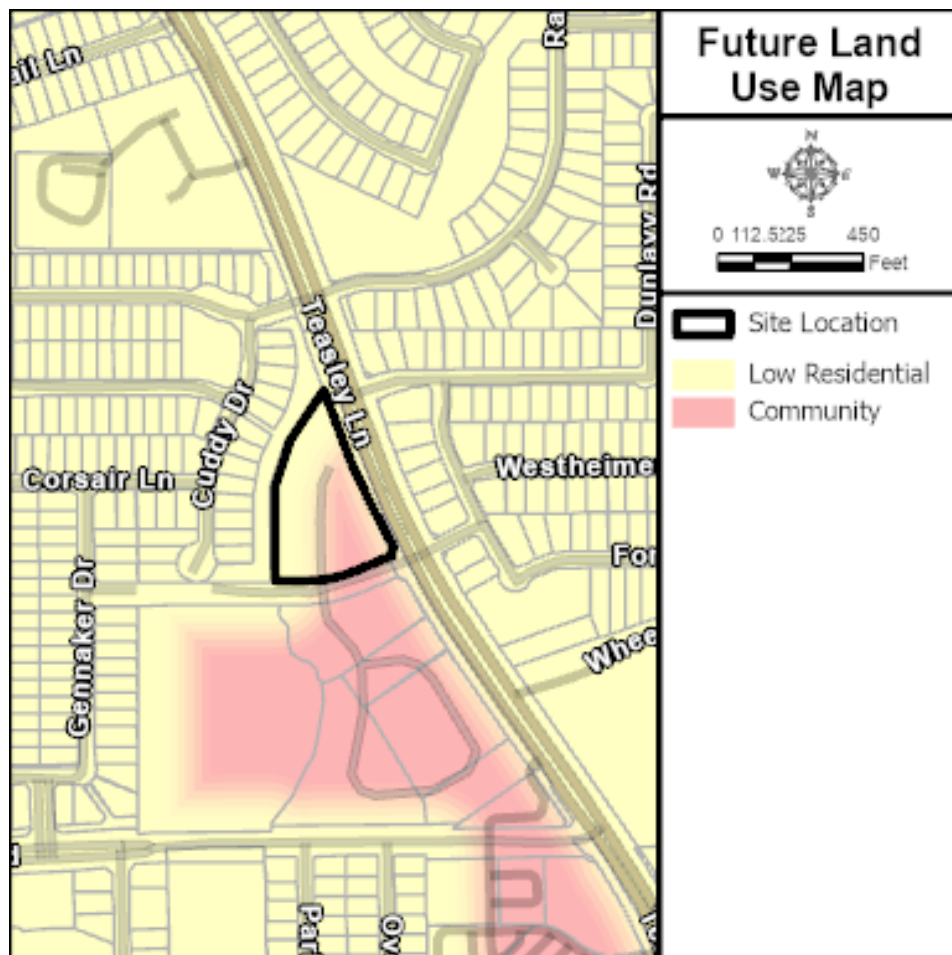
The Community, Health, Safety and Services element of the Comprehensive Plan recognizes as population increases, the operating capacity of emergency service providers must increase, with additional professional staff, vehicles, and physical facilities needed to maintain level of service standards. Police and fire facilities may be centralized or distributed around the city based on location of density of population and employment. The Fire Department has identified a need for improved levels of service in the general area of this rezoning request. The rezoning request would allow the Fire Department to replace a smaller facility with a new facility in more a prominent, accessible location to reduce extended response times and improve fire safety coverage, and is consistent with the Community, Health, Safety and Services Goals, including:

Goal CHS-3: Provide emergency services to keep the community safe and healthy.

Action 8.6.3: Continue to design fire and emergency service facilities to be recognized as notable civic buildings.

### Future Land Use Map

According to the Future Land Use Map (FLUM), the subject property is intersected by Community Mixed Use and Low Residential designations. The Community Mixed Use designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. 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. The Low Residential designation includes the City's predominantly single-family neighborhoods and may also include land uses that support residential neighborhoods such as appropriately scaled public uses. The Public Facilities District is compatible with these FLUM designations. The development of Fire Station 6 will contribute to the mix of uses developing in this area in accordance with the FLUM. Additionally, the services provided by the Fire Station will support the neighborhoods and nonresidential developments in this area of the City by providing faster response times in a developing area of the City.



#### 4. Compliance with this DDC

- a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

This request is for a rezoning of the subject property. All future development on this site must comply with applicable standards in the DDC, including, but not limited to building coverage, parking, tree preservation, and landscaping, with the administrative modifications allowed through the Alternative Landscape Plan process being utilized to address the unique design considerations noted above.



- b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*

If the rezoning request is approved, the proposal will be reviewed during the development process to ensure conformance with all zoning, transportation, drainage, public utility, tree preservation, and subdivision requirements. Any deficiencies in the plats/plans must be addressed prior to approval.

5. *Compliance with Other Applicable Regulations*

If the proposed rezoning to the PF District is approved, prior to development, a detailed review of the proposed development will be conducted to ensure compliance with other applicable regulations.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements for the subject property.

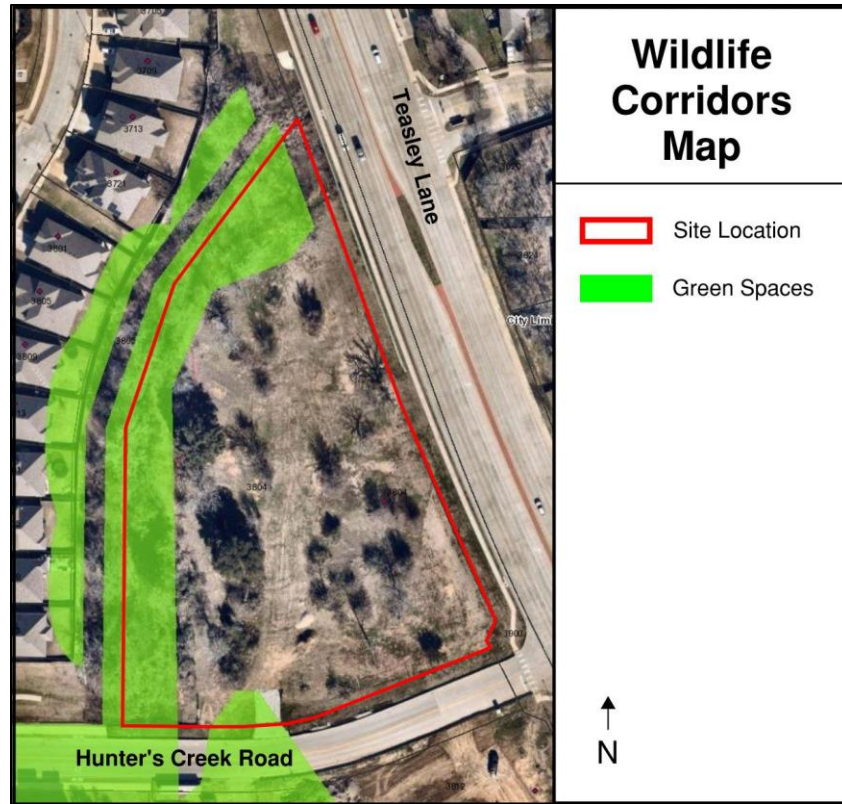
7. *Minimizes Adverse Environmental Impacts*

The proposed development of the Fire Station will minimize adverse environmental impacts upon the subject property.

**Wildlife Corridors**

Denton 2040 Comprehensive Plan established Key Action item #127: “Identify and map wildlife corridors throughout the City to be addressed within three years of Plan adoption.” As documented in the September 8, 2023 Friday Report (available online [here](#)), the creation of this map was accomplished in 2023, providing a useful informational resource for the City to understand paths wildlife are likely to utilize throughout the City based upon two factors: first, the locations of existing natural resources such as ESAs which have been mapped as “greenspace,” and second, direct paths that link greenspaces throughout the City and that may be useable by wildlife, which are shown as the “wildlife corridors”. Linkage Mapper, an open-source software specializing in wildlife-centric flow analysis, was utilized to estimate wildlife corridors within the City by identifying all potential wildlife corridors and highlighting the Least Cost Path (route with the least difficulty for wildlife movement) between areas. The Denton 2040 Comprehensive Plan called for the creation of this map; however, the map is not codified in any way and is intended to serve as an informational tool.

The City’s Wildlife Corridor Map indicates the presence of greenspace situated along the western boundary of the subject property adjacent to a lot that contains a drainage creek designated on the ESA map as unassessed Riparian Buffer. While there is no floodplain nor ESAs on the subject property, the DDC does require future development to preserve existing trees. Additionally, the landscaping standards in the DDC incentivize the protection of existing trees along property boundaries, especially where compatibility buffers are required as is the case where this site adjoins residential zoning.



8. *Minimizes Adverse Impacts on surrounding Property*

The proposed rezoning is not anticipated to create adverse impacts on surrounding zoning in the area. Development of the subject property is required to follow DDC design standards, including lot dimensions, landscaping, and access requirements. Site design standards related to building placement and design are intended mitigate negative impacts created by the scale and bulk of large buildings and provide for variety and visual interest in the exterior design. Landscaping and landscaped buffers will add to the property aesthetics and are expected to compliment the building design.

9. *Minimizes Adverse Fiscal Impacts*

No fiscal impact analysis was performed due to the public service nature and prior Council approval of the proposed use. This proposed rezoning is not anticipated to create adverse fiscal impacts.

10. *Compliance with Utility, Service, and Improvement Standards*

This proposed rezoning will not adversely affect utilities, services, or improvements. Development plans will be reviewed to ensure compliance with all applicable standards.

11. *Provides Adequate Road Systems*

The subject property is located at the northwest corner of Teasley Lane and Hunter's Creek Road. Teasley Lane is a developed Primary Arterial, which was recently widened by TxDOT, and future development is anticipated to construct a public sidewalk along Hunter's Creek Road.

A Trip Generation Study has been submitted and reviewed as specified by the Transportation Criteria Manual. A Traffic Impact Analysis (TIA) was completed for the subject property and property to the south when rezoned to the PD-SC District. The traffic impact of Fire Station 6 is accounted for within the above-mentioned TIA.

12. *Provides Adequate Public Services and Facilities*

The proposed rezoning is not anticipated to negatively impact public services and facilities and will ensure fire services are available to the region.

13. *Rational Phasing Plan*

This proposed rezoning does not have a phasing plan.

B. Section 2.7.2.D of the DDC states that an application for a rezoning may be approved based on the following conditions:

a. *The proposed rezoning is consistent with the Comprehensive Plan.*

As discussed above in Section A.3, the proposed zoning of PF District is consistent with the goals and Future Land Use designation of the Denton 2040 Comprehensive Plan and will facilitate the development of a new Fire Station 6.

b. *The proposed rezoning is consistent with relevant Small Area Plan(s).*

There is no small area plan approved for this site.

c. *The proposed rezoning is consistent with the purpose statement of the proposed zoning district, as provided in Subchapter 3, Zoning Districts.*

Per DDC Subsection 3.5.4A, "The PF district is intended to provide adequate lands for public and quasi-public community uses and services, including but not limited to fire stations, schools, libraries, community centers, hospitals, civic buildings, open space, parks, utilities, and other public-related facilities."

The proposed rezoning to PF District is consistent with the above purpose statement. The property is being developed as a fire station which is stated as an appropriate use in the PF District's purpose statement.

d. *There have been or will be significant changes in the area to warrant a zoning change.*

Significant growth in the City warrants the need for additional Fire Department facilities according to an assessment of their operations, and therefore, a zoning change is warranted to facilitate this rebuilding and relocation of Fire Station 6. Additionally, this area of the City has seen the recent development of vacant, infill properties such as the properties south of this rezoning request, which increases the demand for emergency response in the area.

e. *The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.*

The intensity of future development is not expected to adversely impact surrounding properties in a significant way. The DDC Site and Building Design standards require landscaping and architectural features that improve the visual aesthetics and lessen the visual impact of the building. The DDC also requires additional landscaping along the west property boundary to buffer potential impacts on the neighboring residential uses.



- f. Public facilities and services are available to adequately serve the subject property while maintaining adequate level of service to existing development.*

**Roadways**

The adjacent streets can adequately serve the subject property. Teasley Lane and Hunter's Creek Road are developed roadways. Development of the subject property would be required to install a sidewalk along Hunter's Creek Road. City facilities, such as a Fire Station, are not required to pay roadway impact fees.

**Water and Wastewater**

Public water and wastewater services are installed along Teasley Lane and in Hunter's Creek Road.

- g. There was an error in establishing the current zoning district.*

There was not an error in the assignment of the current zoning district. The existing zoning is the result of a Council-approved rezoning request on April 18, 2023.