



# City of Denton

City Hall  
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Denton, Texas  
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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Cassey Ogden

**DATE:** October 9, 2024

### **SUBJECT**

Receive a report, hold a discussion, and give staff direction regarding amending the proposed land uses in the Denton 2040 Comprehensive Plan Future Land Use Map north of FM 1173, west of Interstate Highway 35, south of Ganzer Road, and generally east of Masch Branch Road and the City of Krum. (PZ24-204, Future Land Use Map Discussion, Cameron Robertson).

### **BACKGROUND**

An applicant submitted a Planned Development (PD) proposal that is significantly inconsistent with the Future Land Use Map (FLUM). As a result, staff believes a broader discussion is necessary to evaluate:

1. Is it appropriate to consider changing the FLUM to allow residential uses in the area, taking into consideration existing developed conditions within Denton, and to some extent land uses within the neighboring City of Krum; if yes, then
2. The decision to allow residential uses has broader implications on the surrounding area thus necessitating a review of the planned land uses for the area that are more compatible with residential development instead of the otherwise currently planned light industrial uses.

The results of this discussion will be beneficial for staff to advise the applicant regarding how best to proceed with their zoning application and potential FLUM amendment.

Therefore, during this work session, staff will be seeking feedback from the Planning and Zoning Commission as to whether the Commission is supportive of changing the FLUM recommendation for this area of the City. Following receiving the Commission's feedback, then staff will be having a work session with City Council to receive direction also.

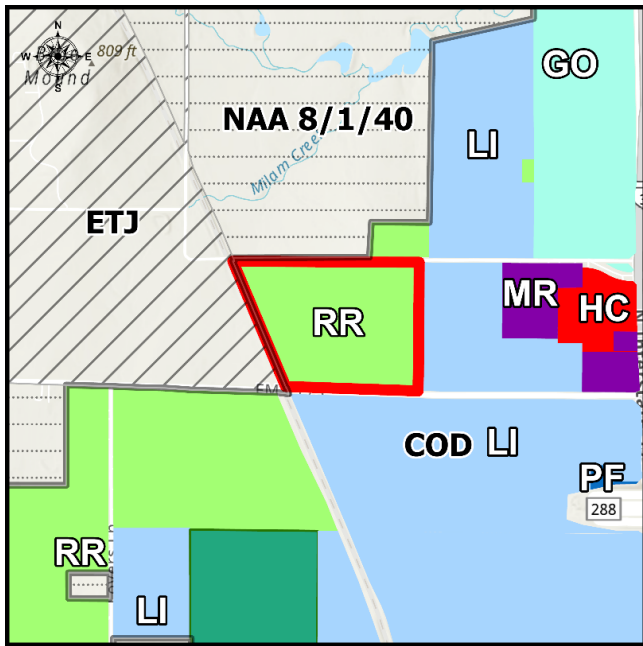
It is important to note that this discussion is not intended to circumvent the public hearing processes that are required for a formal FLUM amendment and change in zoning, but to receive initial feedback including if any additional information would be necessary for evaluating the future applications.

Additional details about the initial PD request received are provided below, as well as proposed options for the Commission's consideration as it relates to the FLUM.

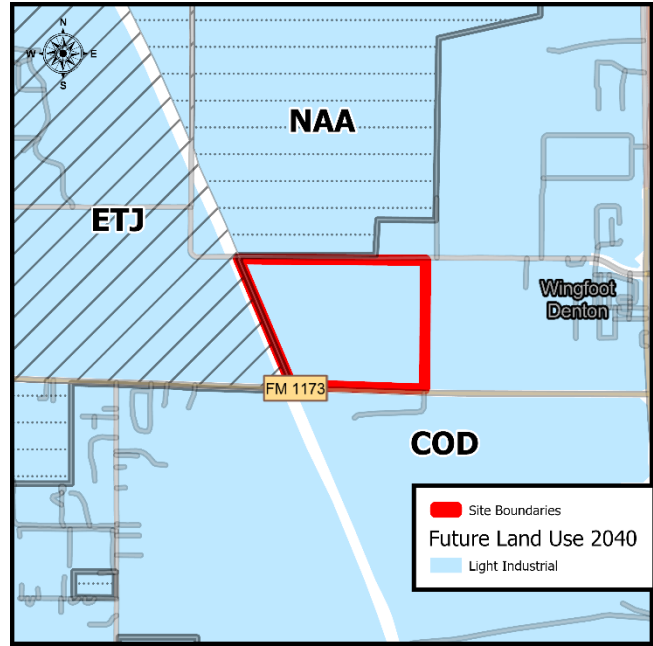
### **Community Forever Village**

The 1877 Journey (the "Applicant"), a 501(c)3 nonprofit organization, received a donation of approximately 70 acres of property located on the west side of Denton, between FM 1173 and Barthold Road, directly east of the Kansas City Southern Railway Co. railway, for the purpose of developing a microhome community for chronically homeless individuals. The community, named Community Forever Village, will provide support services on-site, such as a medical office and recreational amenities. Commercial uses, including retail space and a community market will also be provided on-site.

In June of 2024, 97 Land Company submitted a PD on behalf of the applicant, to build the microhomes community for chronically homeless individuals to live, modeled after the Community First Village in Austin, Texas. The property is located within Denton City Limits, immediately adjacent to the south and east of the City’s Extraterritorial Jurisdiction (ETJ). The current zoning on the property is Rural Residential (RR) and the Future Land Use designation is Light Industrial (LI) [see Figures 1 and 2].



**Figure 1: Subject Property & Current Zoning**



**Figure 2: Subject Property & Existing FLUM**

The adjacent properties to the north, east, and west are largely undeveloped with two existing single-family residences, while the property to the southeast across FM 1173 has recently been developed with two industrial warehouses.

As stated previously, due to the nature of the proposed uses in the PD application, the proposed uses would be in conflict with both the current and anticipated future land uses in the area north of FM 1173 given the Light Industrial designation. As such, the proposed development would require a comprehensive plan amendment and a zoning change since residential uses are not consistent with the Light Industrial land use description provided for in the Denton 2040 Comprehensive Plan nor are the requested land uses allowed within the existing RR zoning.

As the Planning and Zoning Commission considers potential land uses changes to the FLUM, the following should be taken into consideration:

- Although the land area south of Barthold Road and east of the railroad tracks is also designated on the FLUM as Light Industrial, since the 2022 Mobility Plan designates Barthold Road as a primary arterial, staff believes it is appropriate to evaluate potential land use changes north of Barthold Road only. There is also existing industrial development south of Barthold Road that is expected to continue for continuity in land uses given proximity to the future extension of Loop 288 west of IH-35.
- If this area is appropriate for future residential development, then retail/commercial service uses are also likely needed to support residents residing in this area; therefore, consideration needs to be given to where those types of uses would be appropriate within the City.
- There are potential economic impacts to the City if land originally anticipated for industrial development is converted to residential uses. Residential uses typically generate less revenue for

cities compared to industrial development, and residential uses typically require more city services (i.e. emergency services, recreational and leisure services, etc.).

- As illustrated on the graphics above, it is important to note that there are properties in this overall area that are located within the City of Denton's ETJ of which the City has no land use authority. While the City can plan for certain land uses in the ETJ to influence potential future development should those property owners seek to annex within the City, until annexation occurs, the City has no land use authority and those property owners can develop their land as they see fit, unless property owners have an executed non-annexation agreement with the City.
- A recent annexation of an approximately 83-acre parcel and a subsequent rezoning of that parcel and another nearby approximately 54-acre parcel to LI, coupled with existing Highway Corridor (HC) and Mixed-Use Regional (MR) zoning at the southwest quadrant of Barthold Road and IH-35, likely necessitates a more intensive land use designation that is consistent with the existing zoning.
- When the City updated the FLUM in March 2022, the decision was made to designate the land west of IH-35 as Light Industrial given feedback received during a zoning case related to a trucking business interested in rezoning property east of IH-35. That zoning request was denied and during the discussion the direction from City Council was that more intensive uses, such as that being requested, should be located west of IH-35.

Included with this AIS are three possible land use options, in addition to a fourth option which is retaining the status quo, for the Planning and Zoning Commission's consideration as a starting point for discussion. Of course, the Commission may provide alternate direction, but staff is seeking general consensus from the Commission as to a preferred option in order to advise the City Council. The possible options include the following:

- Option 1: Low Residential and Community Mixed-Use land uses located north of FM 1173, predominately west of IH-35; or
- Option 2: Mixture of Low Residential, Moderate Residential, and Community Mixed-Use land uses located north of FM 1173, predominately west of IH-35; or
- Option 3: Moderate Residential and Community Mixed-Use land uses located north of FM 1173, predominately west of IH-35.
- Option 4: Status quo; no recommended changes to the FLUM.

Options 1 through 3 include retaining Light Industrial designation for properties fronting the west side of IH-35, north of FM 1173, with exception of the Community Mixed-Use designation closer to Ganzer Road, due to existing light industrial and recreational vehicle developments, as well as the 2022 rezonings.

Staff looks forward to receiving the Commission's direction and will have a presentation for the work session meeting.

## **EXHIBITS**

Exhibit 1 – Agenda Information Sheet

Exhibit 2 – Existing Conditions

Exhibit 3 – Current FLUM

Exhibit 4 – FLUM Option 1

Exhibit 5 – FLUM Option 2

Exhibit 6 – FLUM Option 3

Respectfully submitted:

Tina Firgens, AICP

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