



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: January 13, 2026

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Rural Residential (RR) District and Residential 2 (R2) District to Mixed-Use Regional (MR) District on approximately 16.524 acres of land generally located north of West University Drive (US 380), approximately 2,800 feet west of Golden Hoof Drive; 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 a severability clause and an effective date. The Planning and Zoning Commission voted (5-1) to recommend approval of the request. Motion for approval by Commissioner Riggs and second by Commissioner McDuff. (Z25-0014a, Hickory Grove Multifamily, Mia Hines)

<https://dentontx.new.swagit.com/videos/364942?ts=5705>

BACKGROUND

The request is for a rezoning from the Rural Residential (RR) District to the Mixed-Use Regional (MR) District. The subject property is approximately 16.524 acres of land generally located north of West University Drive (US 380), approximately 2,800 feet west of Golden Hoof Drive. This is one of three concurrent applications associated with the Hickory Grove development on this agenda. Details regarding the history of Hickory Grove and the request are provided below.

HISTORY

The subject property was originally included as part of the Hickory Grove (also known as Legends Ranch) Municipal Utility District (MUD). The City Council originally granted consent to the creation of this MUD in June 2022, followed by the approval of related development agreement that same month. In August 2024 the MUD developer sought Council approval to amend the development agreement in order to allow for the development of more multifamily units than what was previously allowed under the original agreement. The Council agreed to this change with the compromise that half of the units would be developed on property that would be annexed into the City in order for the City to collect impact fees and taxes from the development. Per Section 3.1 of the approved Development Agreement, further described below, the subject property was then excluded from the MUD:

Within ninety (90) days of the Effective Date of this Agreement, Owner shall cause the District to exclude the [subject property] from the boundaries of the District and, within ninety (90) days of a petition for voluntary annexation of the [subject property] into the corporate limits of the City. Owner agrees to supply, or cause to be supplied, any and all instrument and/or documentation necessary for the City to annex the [subject property] within ten (10) days of being requested to do

so. As soon as practicable after the City's annexation of the [subject property] into the City's corporate limits and after the City has zoning jurisdiction, the City council of the City shall consider, with its full legislative discretion, zoning the [subject property] for multi-family use. The City does not guarantee, and nothing in this Agreement may be conditioned upon, any outcome of any zoning or rezoning decision relating to the [subject property].

While a certificate of occupancy for the subject property has not yet been issued as the site is undeveloped, the applicant has already submitted a petition for voluntary annexation which was approved on November 18, 2025. Although the development agreement calls for development of the tract to occur in the ETJ prior to annexation, the applicants have stated that their intent for submitting the petition at that time was to avoid the risk of constructing a development that might ultimately not conform with zoning should the City decide not to grant a change of zoning to a District that allows the multifamily land use and layout contemplated by the Development Agreement. Upon annexation, the subject property was automatically assigned the placeholder zoning designation of RR.

The subject property is adjacent to the North Hickory Creek Tributary and associated floodway and is partially encumbered by floodplain stretching northwest to southeast around the north and east boundary of the subject property. The applicant is concurrently working with the Federal Emergency Management Agency (FEMA) and the City on the Conditional Letter of Map Revision (CLOMR) process to remove the subject property from the limits of the floodplain. Following a map revision, all future development activity would have to occur outside the limits of the floodplain and buildings within the floodplain buffer would have to be constructed with the appropriate finish floor elevation. Additionally, an approved Environmentally Sensitive Area (ESA) field assessment reflects the existence of undeveloped floodplain ESA within this floodway corridor. Should the applicant propose to further adjust the limits of the floodplain, an updated ESA assessment may be required. Future developments would be subject to the Denton Development Code requirements for development within ESA.

While the subject property is currently undeveloped, the subject area is part of a larger tract of land planned for the development of a total of 624 total multifamily residences according to the approved amended Hickory Grove MUD and Development Agreement. The remainder of the parent tract, abutting the subject property to the west, will remain in the City's ETJ and is subject to the Hickory Grove MUD and Development Agreement which anticipates the construction of 299 multifamily units on approximately 24.8 acres of land for which the City is currently reviewing site plans and civil engineering plans. For the properties to the east of the subject property, the Development Agreement anticipates the construction of nonresidential land uses. These properties are within the City limits, and Staff has received separate applications to amend the FLUM and zoning designations to allow for the development of commercial land uses. These applications are tentatively scheduled to be heard by the Planning and Zoning Commission in January 2026.

In addition to this requested Zoning Change, the applicant also submitted a proposal for a Comprehensive Plan Amendment to change the Future Land Use Designation from Agriculture to Regional Mixed Use to facilitate this zoning change and to allow for the anticipated multifamily development. Additionally, the applicant has concurrently submitted a Mobility Plan Amendment to remove the future north-to-south Primary Arterial roadway that is shown to traverse the property along the eastern property line. Both the request to amend the Comprehensive Plan and the Mobility Plan Amendment are also on the December 17, 2025 Planning and Zoning Commission agenda for separate consideration (items CA25-0003 and MPA25-0004, respectively).

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

1. Approve

2. Deny
3. Postpone Item.

PLANNING AND ZONING COMMISSION

At their December 17, 2025 meeting, the Planning and Zoning Commission recommended approval [5-1] of the Rezoning request. There was no significant discussion specifically related to the requested rezoning from RR and R2 to MR.

RECOMMENDATION

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

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
1974	City Council	Annexation	Approved
June 28, 2022	City Council	Legends Ranch (Hickory Grove) MUD Development Agreement	Approved
August 23, 2024	City Council	Amended Hickory Grove MUD Development Agreement	Approved
October 14, 2025	City Council	Municipal Services Agreement	Approved
October 14, 2025	City Council	Public Hearing for Annexation	Public hearing held; no further action occurred
October 14, 2025	City Council	First Reading of the Annexation Ordinance	First reading held; no further action occurred
November 18, 2025	City Council	Second Reading of the Annexation Ordinance	Second reading held; Annexation Ordinance approved
December 17, 2025	Planning and Zoning Commission	Rezoning Request	Recommended Approval

PUBLIC OUTREACH:

Four (4) notices were sent to the property owners within 200 feet of the subject boundary. As of the writing of this report, no responses have been received by the City.

Three (3) notices were sent to residents within 500 feet of the subject boundary. As of the writing of this report, no responses have been received by the City.

A notice was published in the Denton Record Chronicle on Sunday, November 30, 2025 and December 27 2025.

A notice was published on the City's website on November 26, 2025 and December 22, 2025.

Three (3) signs were posted on the property by November 26, 2025.

The applicants have not hosted any community meetings related to this request.

A map showing the notification boundaries as well as documentation regarding the sign posting is provided in Exhibit 9.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Staff Analysis

Exhibit 3 - Site Location Map

Exhibit 4 - Existing Zoning Map

Exhibit 5 - Proposed Zoning Map

Exhibit 6 - Future Land Use Map

Exhibit 7 - Project Narrative

Exhibit 8 - Comparison of Permitted Uses

Exhibit 9 - Notification Map and Sign Posting

Exhibit 10 - Fiscal Impact Summary

Exhibit 11 - Draft Ordinance

Exhibit 12 - Presentation

Respectfully submitted:
Hayley Zagurski, AICP
Planning Director

Prepared by:
Mia Hines, AICP
Senior Planner