

# Planning Staff Analysis

Z25-0004/Spring Side Road Industrial

City Council District #3

## REQUEST:

Request to rezone approximately 21.800 acres from Rural Residential (RR) District to Heavy Industrial (HI) District.

## STAFF RECOMMENDATION:

Staff recommends approval of the rezoning of approximately 21.800 acres of land from RR to HI 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 21.8-acre subject property is comprised of four unplatted tracts of land generally located at the southwest corner of Spring Side Road and Corbin Road in the City of Denton, Texas. The subject property consists primarily of open pasture and is developed with a single-family residential structure and accessory structures.



The subject property has street frontage on Spring Side Road and Corbin Road. Both streets are currently unimproved with 2 lanes of vehicle traffic. Improvements to the streets consistent with the DDC requirements for perimeter street improvements would be required with the development of this property. There are no City utilities that extend to the property; therefore, when this property develops, the applicant will be responsible for extending utilities to their development.

## SURROUNDING ZONING AND USES:

Several of the surrounding properties to the east, south, and west of the subject property are under Non-Annexation Agreements, thus limiting the properties to single-family residential and agricultural uses; at such time when the properties develop as some other use then annexation

would be required. Adjacent properties to the south that are within City limits are zoned Rural Residential District and are used for single-family residential or are undeveloped. Properties to the north of the subject property are undeveloped and are zoned Heavy Industrial District.

<b>Northwest:</b> <u>Zoning:</u> Heavy Industrial & Public Right-of-Way (Spring Side Road) <u>Use:</u> Undeveloped	<b>North:</b> <u>Zoning:</u> Heavy Industrial & Public Right-of-Way (Spring Side Road) <u>Use:</u> Undeveloped	<b>Northeast:</b> <u>Zoning:</u> Heavy Industrial & Public Right-of-Way (Corbin Road) <u>Use:</u> Undeveloped
<b>West:</b> <u>Zoning:</u> Non-Annexation Agreement <u>Use:</u> Undeveloped	<b>SUBJECT PROPERTY</b>	<b>East:</b> <u>Zoning:</u> Non-Annexation Agreement & Public Right-of-Way (Corbin Road) <u>Use:</u> Single-Family Residential
<b>Southwest:</b> <u>Zoning:</u> Rural Residential (RR) <u>Use:</u> Single-Family Residential	<b>South:</b> <u>Zoning:</u> Rural Residential (RR) <u>Use:</u> Single-Family Residential and Undeveloped	<b>Southeast:</b> <u>Zoning:</u> Non-Annexation Agreement <u>Use:</u> Single-Family Residential

## 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

City Council approved the annexation of the subject property on May 4, 2010. The subject property was assigned the placeholder zoning designation of Rural Residential (RD-5X) which transitioned to RR with the adoption of the 2019 DDC. More recently, Mobility Plan amendments were approved for the subject property's perimeter streets, Spring Side Road and Corbin Road (refer to Exhibit 10). These amendments downgraded the functional classification from Secondary Arterial to Collector and realigned the proposed streets with existing rights-of-way.

3. *Consistent with the Comprehensive Plan and Other Applicable Plans*

The decision-making authority:

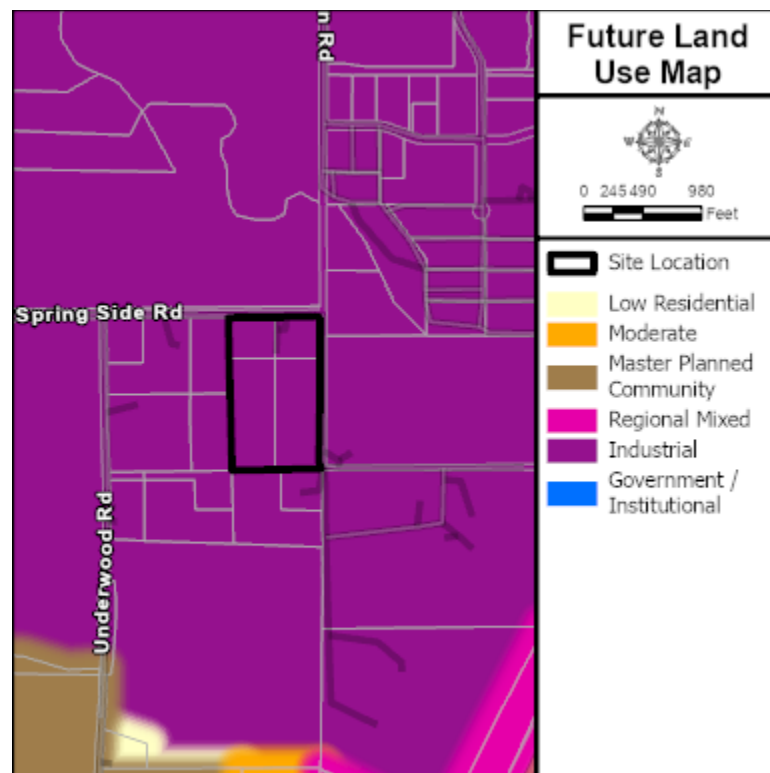
a. *Shall weigh competing goals, policies, and strategies.*

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.*

**Future Land Use Map**

The Future Land Use Map (FLUM) from the Denton 2040 Comprehensive Plan designates the area as Industrial Commerce. This designation applies to areas where the predominant uses include both light and heavy industrial uses, such as moderate to heavy manufacturing, assembly, fabrication, and wholesaling. Distribution warehouses may be included in this designation if used to replace underutilized and heavy industrial uses, or if ultimately reused to house future industrial development. This designation is located primarily west of I-35W near the Denton Municipal Airport. It is important that when future development occurs, appropriate transitions adjacent to sensitive land uses are considered. The applicant has stated the purpose for the rezoning is to facilitate the development of industrial uses such as a distribution warehouse (see Exhibit 4); this is consistent with the FLUM designation.



**Fiscal and Economic Vitality**

According to the Denton 2040 Comprehensive Plan, a strong and diverse economy is fundamental to achieving the vision of the 2040 Comprehensive Plan. As part of the City's fiscal and economic vitality vision, the following goal was included:

**3.1.1:** Ensure adequate land for future economic growth, particularly in the non-residential future land use categories, including a sufficient buffer zone to adjacent protected land uses.

The applicant has indicated that the purpose of the rezoning request is to facilitate the future development of industrial uses on the subject property. The applicant's suggested use is consistent with the overall goals of the Comprehensive Plan to provide for a robust and diverse economy. Furthermore, at such time when the subject property develops, the proposed development would be subject to buffer adjacency standards within the DDC.

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.

- 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 HI 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 is not anticipated to create adverse environmental impacts upon the subject property. There are no potential Environmentally Sensitive Areas nor recognized Wildlife Corridors on the subject property. Development plans will be reviewed for compliance with tree preservation standards.

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 to mitigate negative impacts created by the scale and bulk of large buildings and provide for variety and visual interest in the exterior design. Substantial landscape buffering and screening is required for industrial uses adjacent to residential uses and zoning districts including the Rural Residential District. This can include a minimum width and a minimum amount of landscape elements along those property boundaries next to applicable properties.

9. *Minimizes Adverse Fiscal Impacts*

This proposed rezoning is not anticipated to create adverse fiscal impacts. Staff used the Fiscal Impact Tool to analyze the proposed rezoning. The Fiscal Impact Summary (Exhibit 12) indicates that the proposal would result in a net \$3,194,500 revenue to the General Fund over a 40-year project duration.

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 southwest corner of Spring Side Road and Corbin Road. The Denton Mobility Plan classifies the sections of these streets along the subject property's frontage as Collector streets (refer to Exhibit 10). Improvements to the subject property's street frontage consistent with the City's Standard Details for a Collector street will be required.

A Trip Generation Summary will be required during the development review process to determine if a Traffic Impact Analysis and additional offsite street improvements are needed.

12. *Provides Adequate Public Services and Facilities*

The proposed rezoning is not anticipated to negatively impact public services and facilities. The nearest fire station, Fire Station 9, is approximately 1.3 miles away along existing streets.

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 rezoning to HI District is consistent with the Denton 2040 Comprehensive Plan and will permit the development of industrial and manufacturing uses, generally found to the west of I-35W and near the Denton Municipal Airport.

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 3.5.3A, "The HI District is intended to provide locations suitable for development and operation of indoor and outdoor industrial, distribution, and manufacturing uses. The HI district applies to areas primarily west of Highway I-35 W near the Denton Enterprise Airport that support the most intense industrial uses and may require access to major rail, truck, or aircraft shipping facilities. The HI district applies to areas that can accommodate the intensity of uses while also being sensitive to the adjacent built and natural context."



The requested rezoning to the HI District, allowable land uses, and the subject property's location is consistent with this purpose.

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

The primarily industrial area of the City, generally located west of I-35W and near the Denton Municipal Airport, has seen significant changes. In the last decade, there have been several industrial projects built in the general area as seen in the aerial photos below. Change is continuing to occur in the near vicinity of the subject property with seven projects either in active development or having been recently completed in the area south of Airport Road and west of I-35W. Additionally, multiple individuals have expressed interest to the City in developing the subject property and surrounding properties to the north.



Additional changes are occurring further south of the subject property. Within 0.5 mile south of the subject property is the northern border of the Cole Ranch Master Planned Community. This project is in the beginning stages of the development review process and feature Mixed-Use Neighborhood, Mixed-Use Regional, and Light Industrial base zonings within one mile of the subject property.

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

As discussed above in Section A.8, the proposed rezoning is not expected to adversely impact surrounding properties in a significant way. Development plans will be reviewed for compliance with DDC standards that mitigate adverse impacts including, but not limited to, landscape buffering, lighting, and screening.

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

There are public facilities and services in the general area of the subject property.

**Schools**

Since the applicant is proposing an industrial use, the request would not add students to schools within the attendance boundary.

**Water and Wastewater**

Public water and wastewater services are located to the northeast of the site. When the subject property develops, the developer of the site will be responsible for extending utilities to the property.

**Nearest Fire Station**

Fire Station #9 (5000 Airport Road) is approximately 1.3 miles away along existing streets and within the eight minute or less response time boundary.

- 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 subject property's zoning designation is the result of the RD-5X placeholder designation assigned to the property upon annexation and the subsequent transition to RR zoning in 2019. This is the City's standard practice for all annexed property.