

Planning Report

Z18-0004/Access Bank

City Council District #1

May 9, 2018

REQUEST:

Hold a public hearing and consider making a recommendation to City Council regarding a request by Kelsoe Construction & Development, Inc. and 518 Acme Ltd. for a zoning change from Downtown Residential 1 (DR-1) zoning district to Downtown Commercial General (DC-G) zoning district. The four parcels comprising 1.057 acres are generally located at the northwest corner of the intersection of W. Eagle Drive and Myrtle Street, the west side of Myrtle Street, and the southeast corner of Maple Street and Pacific Street, in the City of Denton, Denton County, Texas. (Z18-0004, Access Bank, Cindy Jackson)

OWNER:

Kelsoe Construction & Development Inc.; and
518 Acme Ltd.

APPLICANT:

Aimee Bissett, 97 Land Company

BACKGROUND:

The applicant, on behalf of the property owner, has requested to rezone the four (4) subject parcels from DR-1 District to DC-G District for the purpose of expanding the Access Bank site and develop four (4) new office buildings and associated parking areas.

SITE DATA:

The intent of the rezoning is to facilitate the redevelopment of additional office space and parking; see concept plan provided as Exhibit 8. If the rezoning is approved, the applicant intends to request an abandonment of Pacific Street as a public right-of-way. In turn, this area would provide additional ingress/egress to the site; currently, Pacific Street dead-ends into the site. The concept plan provided shows an additional ingress/egress onto Myrtle, north of the existing ingress/egress at Myrtle.

The subject request is to change the zoning on four unplatted parcels that are contiguous to Access Bank from DR1 to DCG. The parcel located at the northwest corner of Myrtle and Eagle is owned by 518 Acme Ltd and currently is vacant. The two parcel adjacent to Pacific Street and the parcel adjacent to Myrtle Street are owned by Kelsoe Construction and Development and all three of these parcels are currently residential rental properties.

The purpose of the requested DC-G zoning district is to encourage a mixed use and pedestrian oriented district around the downtown district, The University of North Texas, and Texas Woman's University. Residential uses permitted include Townhomes, Dwellings Above Businesses, Multi-family, Fraternities and Sororities. Most commercial and institutional uses are permitted by right or with approval of an SUP. Industrial uses permitted include Print Shops, Bakeries, Craft Alcohol Production, and Veterinary Clinics. Wholesale Sales and Nurseries are permitted with an SUP and limitations.

SURROUNDING ZONING AND LAND USES (based on entire bank site):

Northwest: Zoning: DR-1 Use: Maple Street and Single Family residential	North: Zoning: DR-1 Use: Maple Street and Single Family residential	Northeast: Zoning: DR-1 Use: Maple Street and Single Family residential
West: Zoning: DR-1 Use: Maple Street and Single Family residential	SUBJECT PROPERTY	East: Zoning: DC-G Use: Maple Street and Multifamily residential
Southwest: South: Zoning: DC-G Use: W. Eagle Drive and N. Carroll Blvd.; student housing	South: Zoning: DC-G Use: W. Eagle Drive and Quick Trip gas station/Convenience Store	Southeast: Zoning: DC-G Use: Maple Street and commercial buildings

COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:

The requested DC-G District is appropriate due to the prominent location the entire Access Bank site has at the intersection of a prominent Primary Arterial, and a Collector Street; the close proximity of the site to both Downtown (Central Business District) and UNT; as well as the commercial uses located along the south side of the site. Offices are typically a non-intrusive use and will provide a good buffer between the residential sites located to the north and northeast and the commercial uses located along Eagle Drive.

CONSIDERATIONS:

1. Section 35.3.4 of the Denton Development Code (DDC) states that an application for a rezoning may be approved based on the following criteria:

- a. *The proposed rezoning conforms to the Future Land Use element of the Denton Plan 2030.*

Per the Future Land Use Map in the Denton Plan 2030, the subject property is designated “Downtown Compatibility Areas”. This designation applies to residential and commercial areas adjacent to the Downtown core that are affected by their proximity to Downtown. This designation serves to create compatible form and uses for the areas that serve to strengthen both the Downtown and adjacent neighborhoods. Development in this area is a mix of commercial, residential, and some industrial uses.

The proposed DC-G zoning district is compatible with this Future Land Use designation.

- b. *The proposed rezoning facilitates the adequate provision of transportation, water, sewer, schools, parks, other public requirements, and public convenience.*

The development will be required to comply with all of the City’s transportation, drainage, and infrastructure requirements. In addition, the development will be required to comply with all tree preservation requirements.

The Access Bank site is located at the northeast corner of N. Carroll Boulevard and W. Eagle Drive. N. Carroll Boulevard is classified as a six lane, divided primary arterial, and Eagle Drive is classified as a two lane, undivided collector street.

2. The subject parcels share a rear property line with single family residential lots to the north and west. The entire Access Bank site is located at a high profile intersection with S. Carroll Boulevard, a primary arterial, to the west, and W. Eagle Drive, a collector street, to the south. The proposed office buildings can provide an excellent transition between the single family neighborhood to the north and the commercial development located to the south.

STAFF RECOMMENDATION:

Staff recommends approval of the request as it is compatible with the surrounding property and is consistent with the goals and objectives of the Denton Plan 2030.

PUBLIC NOTIFICATION:

To comply with the public hearing notice requirements, 33 notices were sent to property owners within 200 feet of the subject property, 83 courtesy notices were sent to physical addresses within 500 feet of the subject property, a notice was published in the Denton Record Chronicle, and signs were placed on the property. No responses have been received as of this writing.