



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ICM: Cassey Ogden

DATE: May 19, 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 Residential 7 (R7) District to Overlay Planned Development (PD) District with a Mixed-Use Neighborhood (PD-MN) base zoning district on approximately 0.786 acres of land, generally located at the northwest corner of the intersection of Jagoe Street and Scripture Street in the City of Denton, Denton County, Texas; 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 (5-0) to recommend approval of the request. Motion for approval by Commissioner Ketchersid and second by Commissioner McDuff. (PD26-0001b, 1716 Scripture, Sean Jacobson)

[April 29, 2026 Planning and Zoning Commission Meeting](#)

BACKGROUND

The applicant, McAdams, on behalf of the owner, Non-Typical Properties, LLC, is requesting to rezone approximately 0.7667 acres from Residential 7 (R7) zoning district to Overlay Planned Development (Overlay PD) with a Mixed-Use Neighborhood (PD-MN) base zoning district for the purpose of reusing existing structures onsite for commercial uses. The subject lot is located at the intersection of two collectors, Scripture Street and Jagoe/Malone Street, which form a small commercial node, surrounded by neighborhood-serving non-residential uses, in the midst of a larger mixed-use, mixed-density neighborhood. The Future Land Use Map (FLUM) designation of the subject property, as well as most of land around the intersection, is Neighborhood Mixed-Use, and the proposed rezoning would bring this property into more direct alignment with the underlying FLUM designation, as well as with its MN-zoned neighbors across Malone Street to the east and across Jagoe and Scripture Streets to the southeast. While the uses permitted in both R7 and MN Districts are similar (see Exhibit 7), the rezoning would give this property greater freedom to contribute to the continued development of a range of small-scale commercial uses around this intersection.

The original purpose of the proposed Overlay PD was to enable a trade school use – specifically, an aviation training school - to move into the existing 7,950 square foot building. R7 did not permit the Business/Trade School use, but MN would. The overlay was proposed to maintain the existing residential use permissions under R7, primarily ensuring the additional scrutiny of a Specific Use Permit (SUP) is applied to any proposed conversion of the commercial property to a multifamily use. However, during the rezoning process, after the zoning change request was already on the March 18, 2026, P&Z agenda, the aviation training school chose to move forward with a different location. Since the request was in progress, the owner chose to proceed, and the purpose of the Overlay PD is now to create the opportunity for a greater

variety of commercial uses to develop on the subject lot and encourage reuse of the existing building. Because staff review of the project was based on the range of permitted uses, and not just on the potential aviation training use, staff supported the continuation of the rezoning request (see Exhibit 2 for detailed analysis).

The proposed PD-MN zoning would provide the subject lot with a similar range of uses to its MN-zoned neighbors. The Overlay PD aspect of the zoning, per Denton Development Code (DDC) Subsection 2.7.3C.1.a, is intended to “ensure the proposed rezoning and subsequent development are compatible with surrounding neighborhoods or less intensive uses.” An Overlay PD is similar to a standard rezoning, but it does provide the ability to make limited changes to the development standards for the property which is being rezoned – the Overlay PD regulations can adjust the range of permitted uses, add use specific standards, and make certain adjustments to site design and dimensional standards. Unlike a standard Planned Development (PD), an Overlay PD is not intended to mandate the exact use or layout of a site, but it is a tool used to add additional regulations to address specific concerns about compatibility with the surrounding area. In this case, because the subject lot is immediately adjacent to multiple single-family homes, as opposed to the MN-zoned properties on the other sides of the intersection, the Overlay PD includes a regulation stipulating that a Multifamily use on the subject lot would require a Specific Use Permit (SUP). Typically, Multifamily uses are allowed by right in the MN zoning district. Adding the SUP requirement maintains the protective scrutiny of the public hearing process which is in place today under the current R7 zoning, which also requires an SUP for Multifamily uses. The proposed amendment to the DDC standard via the PD regulations, as applied to the subject property, is outlined in Exhibit 6 and summarized in the table below. Outside of this one additional regulation, the standard DDC regulations would apply to any future development on the subject property.

DDC Standard	MN District	Proposed PD Regulations	Difference
Permitted Uses (DDC Subchapter 5)	The MN Zoning district permits a variety of residential and commercial land uses by right and with a Specific Use Permit as outlined in DDC Subchapter 5 and provided in Exhibit 7.	The following use shall be allowed only with approval of a SUP: <ul style="list-style-type: none"> • Multifamily Dwelling 	Requires an SUP for a land use otherwise allowable by right in the MN District.

A full Staff Analysis is provided in Exhibit 2.

PLANNING AND ZONING COMMISSION

On April 29, 2026, the Planning and Zoning Commission held a public hearing and recommended approval of the rezoning request [5-0]. The representative of the applicant spoke briefly; no other members of the public spoke on this item.

During work session, Commissioners asked questions related to potential future redevelopment of the site, including inquiries regarding parking and building design. Staff explained that any redevelopment would have to comply with all applicable DDC standards but, also, that there is an existing commercial building on the lot now and that the applicant has not proposed any redevelopment of the site at this time.

OPTIONS

1. Approve
2. Deny

3. Postpone Item.

RECOMMENDATION

Staff recommends **approval** of the request 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 2.7.3.E of the DDC for approval of a Planned Development

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

April 10, 2019	Planning and Zoning Commission	City initiated city-wide rezoning from NRMU to R7	Recommended approval
April 23, 2019	City Council	City initiated city-wide rezoning from NRMU to R7	Approved
March 18, 2026	Planning and Zoning Commission	Request for rezoning from R7 to Overlay PD-MN	Postpone to a date certain of April 29, 2026
April 29, 2026	Planning and Zoning Commission	Request for rezoning from R7 to Overlay PD-MN	Recommend approval

PUBLIC OUTREACH:

Twenty-six (26) notices were sent to property owners within 200 feet of the subject property, and 136 postcards were mailed to current residents within 500 feet of the subject property. Based on the City’s notification policy and state law, these notices were mailed to property owners and residents within the City limits. As of the writing of this report, no responses have been received.

A notice was published in the Denton Record Chronicle on May 2, 2026.

A notice was published on the City’s website on April 29, 2026.

Two signs were posted on the property on April 10, 2026.

The applicant has held two neighborhood meetings for the proposed project on February 26, 2026 and April 14, 2026. There were no residents in attendance at the first meeting and, therefore, no notes. One resident attended the second meeting. The resident asked a question about the original intent of applying for the PD and then, after finding out that no physical changes to the site were planned at this time, asked if residents would be notified if there was a request for a Specific Use Permit for an expanded building in the future. After receiving applicant’s responses, the resident expressed no objection to the proposed Planned Development. See full meeting notes 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 - Development Standards
Exhibit 8 - Comparison of Allowed Uses
Exhibit 9 - Public Notice and Engagement
Exhibit 10 - LLC Members List
Exhibit 11 - Staff Presentation
Exhibit 12 - Ordinance

Respectfully submitted:
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