



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: November 19, 2024

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 to Public Facilities (PF) District on approximately 40.00 acres generally located 3,075 feet south of Jim Christal Road and approximately 850 feet west of Tom Cole Road, 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 Villareal and second by Commissioner Pruett. (Z24-0014a, Denton Energy Center, Matt Bodine)

<https://dentontx.new.swagit.com/videos/318521>

BACKGROUND

The applicant, Chris Lutrick, with Denton Municipal Electric, on behalf of the property owner, City of Denton, is requesting to rezone an approximately 40.00-acre tract from Rural Residential (RR) District to Public Facilities (PF) District. The subject property was purchased by the City of Denton in December 2022 for future construction of a City-owned solid waste transfer station. The 40.00-acre tract of land is situated immediately south of the Denton Energy Center. The rezoning timeline for this parcel is being accelerated as the existing data center on the Denton Energy Center property is seeking to expand onto the northern portion of the subject property, necessitating the rezoning request. The majority of the subject property will be reserved for the future Solid Waste and Recycling Department transfer station.

The subject property is predominantly undeveloped pasture with mature trees situated throughout the site. Additionally, there are two active gas wells on site: one located along the western portion of the property, and the other situated along the northern property line. There are a few intensive uses in the surrounding area such as the Denton Energy Center immediately north of the subject property and the Denton Enterprise Airport further east. The subject property is also anticipated to have frontage along future West Loop 288.

The subject property was annexed into the City in 2010 along with several other properties in this area of the City. Following annexation, the property was assigned the placeholder zoning designation "RD-5X" under the 2002 Denton Development Code (DDC). The zoning of the property transitioned to RR with the adoption of the 2019 DDC.

The purpose of the PF District is to provide adequate lands for public and quasi-public community uses including (but not limited to) utilities and other public-related facilities. The transfer station is considered under the City-Owned Landfill definition and is permitted in the PF District. A Warehouse Data Center is a permitted use in the PF District with use-specific standards. The Future Land Use Map designates the

subject property as Industrial Commerce (see Exhibit 6). If this zoning change were approved, any use under the PF Zoning District could be developed. See Exhibit 7 for a complete list of permitted uses.

No development plans have been submitted at this time. Any development on the site will be required to follow the applicable standards found in the Denton Development Code and Design Criteria Manual related but not limited to building and site design, landscaping, fencing, and protection of environmentally sensitive areas.

A full Staff Analysis is provided in Exhibit 2.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission held a public hearing for the request at their October 23, 2024 meeting. During the meeting, Commissioners inquired if staff had contacted the University of North Texas (UNT) regarding the rezoning request given that UNT owns property (field research station) approximately 1,400 ft south of the subject property. UNT had not been contacted by staff at the time of the Planning and Zoning Commission meeting. Since then, staff has contacted the institute in charge of the research station, and relayed information to interested faculty. Staff has not received any concerns about the rezoning request from UNT. Additionally, Commissioners expressed a desire that City Council and staff consider policy regarding data center warehouses given the industry is expected to continue to grow, and it is likely the City sees more requests regarding the land use. Specifically, there was interest in ensuring that the City’s policies surrounding Warehouse Data Centers balance the use’s high energy consumption needs with other policies and goals of the City.

No members of the public spoke.

OPTIONS

1. Recommend Approval
2. Recommend Denial
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 2.7.2.D of the DDC for approval of a zoning change.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
May 4, 2010	City Council	City-initiated Annexation and zoned to RD-5X	Approved
October 1, 2019	City Council	New Zoning Code and City-wide zoning district transition to Rural Residential District	Approved
December 13, 2022	City Council	Purchase subject property for the purpose of a solid waste transfer station	Approved
October 23, 2024	Planning & Zoning Commission	Rezoning from RR District to PF District (Z24-0014)	Recommended Approval

PUBLIC OUTREACH:

Two notices were sent to property owners within 200 feet of the subject property, and three postcards were mailed to current residents within 500 feet of the subject property.

A notice was published on the City’s website on October 3, 2024, and November 2, 2024.

A notice was published in the Denton Record Chronicle on October 6, 2024, and October 31, 2024.

One sign was posted on the site on October 10, 2024.

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 - Table of Allowed Uses
- Exhibit 8 - Notification Map
- Exhibit 9 - Presentation
- Exhibit 10 - Draft Ordinance

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/Planning Director

Prepared by:
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Assistant Planner