

**Exhibit 1  
Staff Analysis**

**CITY OF DENTON  
DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT**

<b>P&amp;Z Date:</b>	<b>August 13, 2014</b>	<b>TYPE:</b>	<b>Rezoning</b>
<b>CC Date:</b>	<b>September 16, 2014</b>	<b>PROJECT #:</b>	<b>Z14-0012</b>

**Project Number:** Z14-0012

**Request:** To approve an initial zoning of Neighborhood Residential 6 (NR-6) on an approximately 34.73 acres.

**Applicant:** Rod Zielke, P.E.  
ZPS Consulting Engineers  
1111 Main St., Suite 129  
Grapevine, TX 76051

**Property Owner:** Zach D. Mason – Trustee  
Mary L. Mason Children’s Trust  
9901 IH-10W  
San Antonio, TX 78230

**Location:** The property is located on the south side of Edwards Rd., approximately 500 feet west of Swisher Road.

**Size:** 34.73 ±

**Existing Zoning Designation:** Rural Residential (RD-5X)

**Proposed Zoning Designation:** Neighborhood Residential 6 (NR-6)

**Future Land Use:** Neighborhood Center

**Case Planner:** Michael J. Bell

**DRC Recommendation:** The Development Review Committee (DRC) recommends **APPROVAL** of **Z14-0012**.

### **Summary of Staff Analysis:**

This request is to rezone an annexed property (DH-9) to Neighborhood Residential 6 (NR-6) zoning district. The NR-6 zoning request is consistent with the property's future land use designation of Neighborhood Centers. It is also consistent with uses on surrounding properties to the site which include Phases 1, 2, and 3 of the Villages of Carmel and the Preserve at Pecan Creek. A rezoning to NR-6 for Phase 4 of the Villages of Carmel, to the south of the subject property, is also currently under review by the City of Denton Development Review Committee.

Approval of NR-6 on the 34.73 acre site would permit a maximum density of 208 single-family residential units. With the exactions required at the time of platting, including right-of-way dedication and public infrastructure improvements, there will be sufficient public utilities and services to service the site. The Denton Independent School District has also indicated they have adequate capacity to serve the proposed development.

The site currently includes three tracts totaling approximately 45 acres shown in Exhibit 7 as "Original Tracts." Only the most western 34.73 acres of these properties are included in this rezoning request as the northward extension of Post Oak Boulevard will bisect these properties. The area east of Post Oak Boulevard would remain RD-5X. The Site Location/Aerial Map in Exhibit 2 shows the 34.73 acres included in the request and reflects the ultimate alignment of this road.

## **Findings of Fact**

1. *The request is for an initial zoning designation of Neighborhood Residential 6 (NR-6) on 34.73 acres.*
2. *Project History:*
  - a. *The subject property was included in the City of Denton's 3-Year Annexation Plan Ordinance for DH-9 on April 6, 2010.*
  - b. *A non-annexation agreement for portions of DH-9 was approved on December 19, 2012 by ordinance 2012-362.*
  - c. *The subject property was annexed into the City of Denton on April 16, 2013 by Ordinance 2013-096 and was given a default zoning classification of Rural Residential 5X (RD-5X).*
3. *Denton Plan:*
  - a. *The Future Land Use designation on the property is "Neighborhood Centers." The NR-6 is one of the seven zoning district categories that are within the "Neighborhood Centers" future land use category.*
  - b. *According to the Denton Plan, "within urban and urbanizing are of the city, new development may develop in traditional patterns. Mixed-use and mixed housing types will be allowed to develop in a pattern of 'neighborhood centers.' These are oriented inwardly, focusing on the center of the neighborhood. These neighborhoods will exemplify the interrelationship between quality of development, density, services and provision of adequate facilities. These developments should locate the center of the neighborhood within a five to ten minute walking distance from the edge of the neighborhood. The center contains uses necessary to support the surrounding neighborhood." NRMU and NRMU-12 zoning districts are located adjacent to the property to the south. These areas form the Neighborhood Center that would service the proposed rezoning.*
4. *Existing Site Conditions:*
  - a. *The subject property is undeveloped. Surrounding properties to the south are also undeveloped. Adjacent land uses include two manufacture homes to the north, the Villages of Carmel subdivision to the west, and rural, single-family residences to the east.*
  - b. *City-wide there are approximately 1,352.89 acres of land designated as NR-6 zoning district.*

- c. *Adjacent zoning districts include RD-5X to the north, NR-6 to the west, Neighborhood Residential Mixed Use (NRMU) and Neighborhood Residential Mixed Use 12 (NRMU-12) to the south, and RD-5X and Extraterritorial Jurisdiction (ETJ) to the east.*
- d. *Land uses within ¼ mile radius of the site include approximately 218.49 acres; of which 119.51 are residential, 78.42 are agricultural, 7.96 are commercial, and 4.62 are undeveloped.*
- e. *A portion of the property is encumbered by Upland Habitat Environmentally Sensitive Area. Development in this area will be subject to the provisions of Subchapter 17 of the Denton Development Code.*

5. *Infrastructure:*

- a. *The site is not platted. Preliminary and final platting is required prior to any additions/improvements to the property and prior to the issuance of building permits.*
- b. *Water is available by extending a 12-inch main along Edwards Rd., from the existing 12-inch main at the Swisher Road intersection to the existing 12-inch main in front of Villages of Carmel 2B.*
- c. *Sewer is available via extending an 8-inch gravity sewer main along the applicant's full Edwards Rd. frontage, discharging into the existing 8-inch gravity main at the Swisher Rd. intersection.*
- d. *Post Oak Boulevard is classified as a Primary Major Arterial (135-ft. right-of-way) and an unimproved perimeter street. The exact alignment of this roadway must be established prior to development and the full width of the street is required to be constructed upon final platting.*
- e. *Edwards Road is classified as a Commercial Mixed Use Collector (73-ft. right-of-way) and an unimproved perimeter street. Construction of 8-foot sidewalk, curb and gutter, and required drainage improvements are required across the entire frontage of Edwards Road.*
- f. *A master drainage plan is required upon preliminary platting. On-site detention may be required.*
- g. *Electric service will be provided by Denton Municipal Electric (DME).*

**Development Review Committee**

Based upon the information provided by the applicant and a recent site visit, the Development Review Committee finds that the request **IS CONSISTENT** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Denton Plan, and **IS CONSISTENT** with the Denton Development Code.

**GENERAL NOTES**

*NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the Denton Development Code.*

*NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the City of Denton, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Denton Plan, Denton Development Code or other development regulations in effect at the time of development.*

**Surrounding Zoning Designations and Current Land Use Activity:**

<b>Northwest:</b> Extraterritorial Jurisdiction (ETJ) (Farm & Ranch)	<b>North:</b> Rural District 5X (RD-5X) (Single-Family/Mobile Homes)	<b>Northeast:</b> Employment Center Industrial (EC-I) (Commercial)
<b>West:</b> Neighborhood Residential 6 (NR-6) (Single-Family Subdivision)	<b>Subject Property:</b> Rural District 5X (RD-5X) (Undeveloped)	<b>East:</b> Rural District 5X (RD-5X) (Single-Family/Rural)
<b>Southwest:</b> Neighborhood Residential 6 (NR-6) (Single-Family Subdivision)	<b>South:</b> Neighborhood Residential Mixed Use (NRMU) & Neighborhood Residential Mixed Use 12 (NRMU-12) (Undeveloped)	<b>Southeast:</b> Rural District 5X (RD-5X) (Single-Family/Rural)

*Source: City of Denton Geographical Information System and site visit by City staff*

**Summary of Surrounding Zoning Designations and Current Land Use Activity:**

The subject property is currently designated as RD-5X and is undeveloped. Adjacent zoning districts include RD-5X to the north, NR-6 to the west, Neighborhood Residential Mixed Use (NRMU) and Neighborhood Residential Mixed Use 12 (NRMU-12) to the south, and RD-5X and Extraterritorial Jurisdiction (ETJ) to the east. Land uses within ¼ mile radius of the site include approximately 218.49 acres; of which 119.51 are residential, 78.42 are agricultural, 7.96 are commercial, and 4.62 are undeveloped.

**Comprehensive Plan:**

The proposed zoning of NR-6 complies with the future land use designation of “Neighborhood Centers” and complies with many goals of the Denton Plan including:

1. *Allowing growth along the southern borders of the city, provided development pays its own way (Denton Plan, p. 23).* Public infrastructure and services will be provided by the developer upon platting.

2. *Within the undeveloped and urbanizing areas of the city, new neighborhoods may develop in traditional patterns (Denton Plan, p. 37).* Subchapter 16 of the Denton Development Code will regulate the development of the subdivision.

3. *Encourage all new development to be contiguous to existing development (Denton Plan, p. 40).* The proposed NR-6 zoning is contiguous to the Villages of Carmel to the east.

4. *Require adequate levels of service and public facilities prior to residential development. Adequate public facilities shall be a criterion by which zoning is granted (Denton Plan, p.41).* Adequate public services and facilities will be provided as outlined below.

Subject Property	Future Land Use/Zoning allocation		
	Current Allocation in the City	Proposed Allocation	Change Based Upon Request
34.73 ± acres			
RD-5X	11,568.28	11,533.55	-34.73
NR-6	1,352.83	1,387.56	+ 34.73

**Nearest Fire, and EMS Station:**

	Name of Station	Approximate Distance From Subject Property
<b>Fire/EMS</b>	Station 6, 3232 Teasley Ln.	± 3.03 mi.

*Source: City of Denton GIS, Fire Department, and EMS*

**Water and Wastewater Demand and Capacity:**

A. Estimated Demand:

Subject Property	Estimated Impact Analysis	
	Proposed Demand	Adequate to Serve (Yes or No)
34.73 ± acres		
Potable Water Consumption (GPD)	312 (peak)	Yes
Wastewater Generation (GPD)	184 (peak)	Yes

B. Available Capacity:

Water is available by extending a 12-inch main along Edwards Rd., from the existing 12-inch main at the Swisher Road intersection to the existing 12-inch main in front of Villages of Carmel 2B.

Sewer is available via extending an 8-inch gravity sewer main along the applicant’s full Edwards Rd. frontage, discharging into the existing 8-inch gravity main at the Swisher Rd. intersection.

C. CIP Planned Improvements:

There are no planned CIP improvements for potable water or sanitary sewer facilities serving the subject site.

**Roadways/Transportation Network:**

A. Estimated Demand:

Subject Property	Estimated Impact Analysis	
	Proposed Demand	Adequacy to Serve (Yes or No)
2.38 ± acres		
Average Annual Daily Trips (AADT)	1,442	Yes
PM Peak Hour Trips	144	Yes

B. Available Capacity:

The right-of-way dedication and developer improvements required at the time of platting will provide Post Oak Boulevard and Edwards Road the capacity to accommodate the additional trips created from 208 additional single-family dwelling units in this location.

C. Roadway Conditions:

Post Oak Boulevard is classified as a Primary Major Arterial (135-ft. right-of-way) and an unimproved perimeter street. The exact alignment of this roadway must be established prior to development and the full width of the street is required to be constructed upon final platting.

Edwards Road is classified as a Commercial Mixed Use Collector (73-ft. right-of-way) and an unimproved perimeter street. Construction of 8-foot sidewalk, curb and gutter, and required drainage improvements are required across the entire frontage of Edwards Road.

D. CIP Planned Improvements:

There is a proposed CIP project for the Mayhill Road to the west of this development.

**Environmental Conditions:**

A. There are no Environmentally Sensitive Areas on site.

**Park Facilities:**

Spc. Ernest W. Dallas Jr. Veterans Memorial Park – approximately 0.51 miles to the south.

Briercliff Park – approximately 1.05 miles to the southwest.

Pebblebrook Open Space – approximately 2.13 miles to the northwest.

**Wells:**

There are no gas wells on site.

**Electric:**

Electric service will be provided by DME.

**Airports:**

The subject property is not located within any Airport overlay districts.

**Comments from other Departments:**

None.