

Z25-0007b

Kalyans

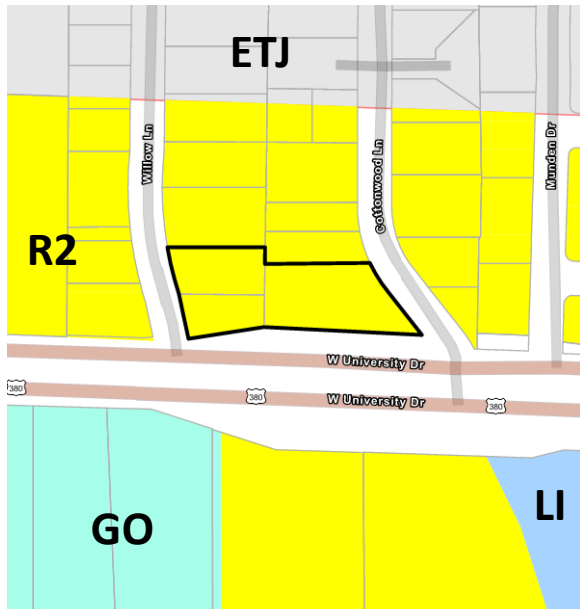
Julie Wyatt, AICP
Principal Planner
August 19, 2025



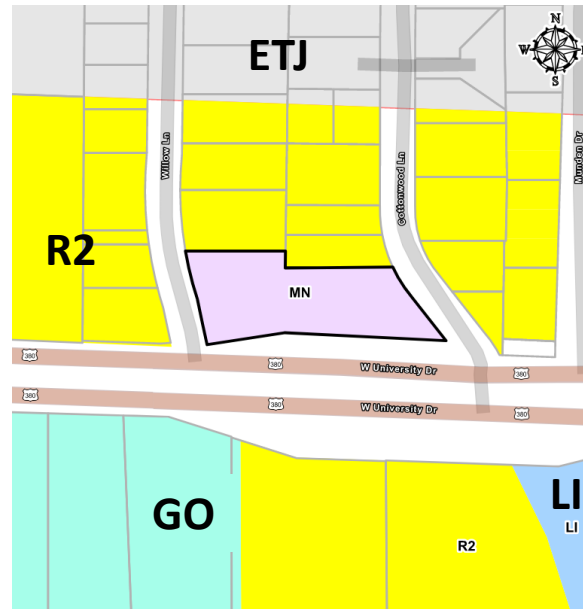
Request

Rezone from **Residential 2 (R2)** to **Mixed Use Neighborhood (MN)**
District on approximately 1.09 acres

Purpose: Reestablish a previous retail use established in the early 1970s and ceased operation in 2023



R2 District—intended to preserve existing single-family neighborhoods



MN District—support compatibility between higher-intensity mixed-use and residential/commercial



History

- **Prior to 1974:** Commercial use established
- **1974:** Annexed into city
- **1976:** Rezone area in RED from Agriculture District to General Retail to address nonconforming use
- **1984:** Rezone area in YELLOW to PD for mini-storage—did not develop
- **1992:** CO for retail and bar
- **1997:** CO for restaurant and convenience store
- **2002:** Citywide rezoning from GR to NR-2
 - Use classified as *Special Exception* and not nonconforming
 - *Special Exception*: “...not cause any existing, legal use of property, building, structure or site development to become nonconforming.”
- **2019:** Transition from NR-2 to R2
 - *Special Exception* removed from DDC
 - Retail and restaurant uses become **nonconforming**
- **2023:** Retail and restaurant uses discontinued, property sold



Aerial Map, 1976

Criteria for Approval – Development Code

Summary:

- ✓ Proposed zoning is consistent with the MN purpose statement.
- ✓ Proposal is generally consistent with the goals and policies and the Future Land Use Map of the Denton 2040 Comprehensive Plan.
- ✓ Any redevelopment must comply with DDC and other criteria, including drainage, floodplain, and ESA regulations.
- ✓ Zoning is not expected to generate significant adverse compatibility, infrastructure, or fiscal impacts.

General Approval Criteria for All Applications (Sec. 2.4.5E)

1. General Criteria
2. Prior Approvals
3. Consistent with the Comprehensive Plan and Other Applicable Plans
4. Compliance with this DDC
5. Compliance with other regulations
6. Consistent with Interlocal and Development Agreements
7. Minimizes Adverse Environmental Impacts
8. Minimizes Adverse Impacts on surrounding Property
9. Minimizes Adverse Fiscal Impacts
10. Compliance with Utility, Service, and Improvement Standards
11. Provides Adequate Road Systems
12. Provides Adequate Public Services and Facilities
13. Rational Phasing Plan

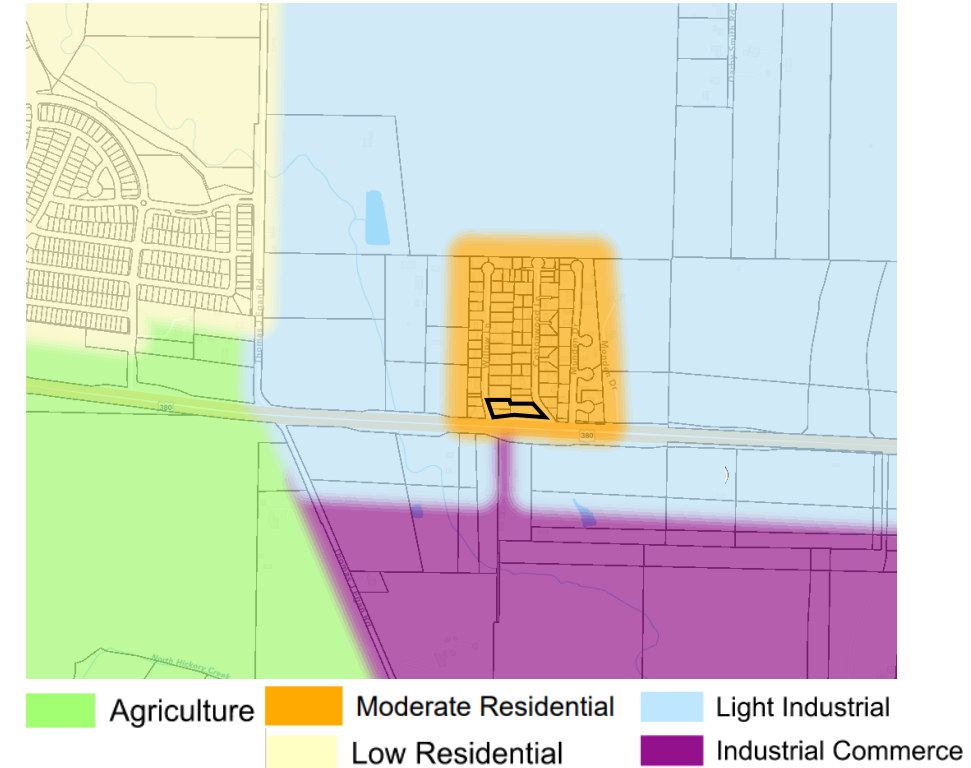
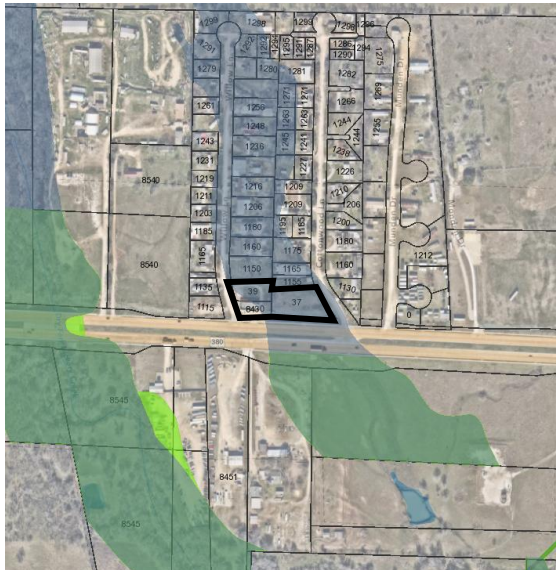
Zoning Criteria for Approval (Sec 2.7.2.D)

- a. The proposed rezoning is consistent with the Future Land Use Map designation.
- b. The proposed rezoning is consistent with relevant Small Area Plan(s).
- c. The proposed rezoning is consistent with the purpose statement of the proposed zoning district, as provided in Subchapter 3, Zoning Districts.
- d. There have been or will be significant changes in the area to warrant a zoning change.
- e. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.
- f. Public facilities and services are available to adequately serve the subject property while maintaining adequate level of service to existing development.
- g. There was an error in establishing the current zoning district.

Consistency with Denton 2040 Comprehensive Plan

FLUM is **Moderate Residential**:

- ✓ Category can also include land uses that support residential neighborhoods such as **small-scale commercial** at arterial and collector street corners
- ✓ **Consistent:**
 - Facilitate reestablishment of a commercial use on a site that has accommodated retail, restaurant, and bar uses for over 50 years
 - Appropriate transition area between a high-traffic, high-speed road and nearby residential dwellings



Preferred Land Preservation Plan:

- Due to floodplain, site identified as potential preservation
- Due to the existing development, unlikely that area can contribute to a connected wildlife corridor
- Any expansions or redevelopment would require an ESA Assessment. If confirmed, only routine maintenance permitted unless an Alternative ESA Plan approved

Minimize Impacts

Surrounding Properties:

- MN District limits auto-oriented uses, including approval of an SUP for drive-through restaurants, automotive fuel sales, and bars. Buffer and minimum 40% tree canopy provide protections for residential
- Small property size (and floodplain) limits the potential development intensity
- If approved, a commercial use and building renovations could activate the space, potentially prevent deterioration

Infrastructure:

- Transportation:
 - Anticipated 462 trips/day
 - Afternoon is the peak
 - Adequate capacity on West University
- Water/wastewater: property uses well and septic systems; however, due to surrounding development, future tie-in to public system will be available



Notification

Newspaper posted: June 28, 2025

City website posted: June 25, 2025

Property posted: June 10, 2025

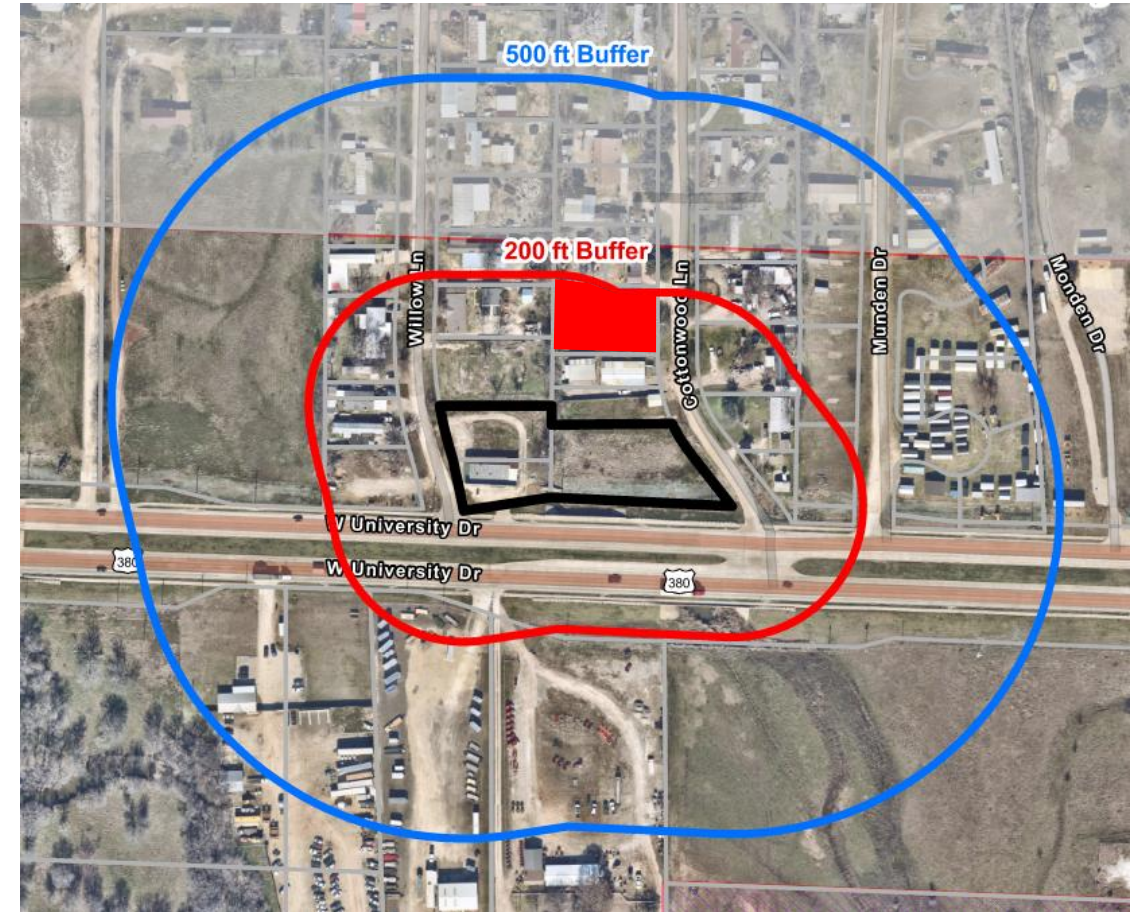
Mailed notices

- 200 ft. Public Hearing Notices mailed: 28
- 500 ft. Courtesy Notices mailed: 36

Responses:

- In Opposition: 2 (4.88%)
- In Favor: 0
- Neutral: 0

The applicant held 2 virtual neighborhood meetings on June 18, 2025, and June 20, 2025.



Recommendation

The Planning and Zoning Commission recommended **approval** of the request, 6-0.

Staff recommended **approval** of the zoning change request as it complies with the criteria in Section 2.4.5E of the Denton Development Code for approval of all applications, and Section 2.7.2D of the DDC for approval of a Zoning Map Amendment.

QUESTIONS?

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Development Services