

Staff Analysis
Z18-0003/Hillcrest North
City Council District 4
Planning & Zoning Commission
March 7, 2018

REQUEST:

Hold a public hearing and consider making a recommendation to City Council regarding a request by G&A Consultants, LLC on behalf of the property owner, Hillcrest North Properties, LLC for a zoning change from Neighborhood Residential 2 (NR-2) to a Community Mixed Use General (CM-G) District on approximately 3.11 acres and an initial zoning to a CM-G District on approximately 3.26 acres. The subject site is generally located north of Teasley Lane, approximately 300 feet east of Old Alton Road, in the City of Denton, Denton County, Texas. (Z18-0003, Hillcrest North, Ron Menguita)

OWNER:

Hillcrest North Properties, LLC

APPLICANT:

G&A Consultants, LLC

BACKGROUND:

The property owner is proposing a zoning change and an initial zoning to a CM-G District to facilitate the development of a commercial project, intended uses include retail businesses and restaurants. The mix of uses have not yet been determined. The property is currently being used as a retail/office use, Outdoor Living Pool and Patio. Attached as Exhibit 9 for your review is a copy of the applicant's project narrative.

SITE DATA:

The subject 6.37 acre property contains four (4) un-platted tracts. The property is currently developed with buildings associated with an existing commercial business (Outdoor Living Pool and Patio) and a residential dwelling unit and accessory structures. This property is located within 1,000 feet of a gas well drilling and production site, which is part of a larger gas well plat (JH Guyer) that contains a total of six (6) gas wellheads.

The City's Environmentally Sensitive Areas (ESAs) map shows an ESA Habitat at the northeast corner of the property. However, the majority of the ESA Habitat was removed in 2015. The map also shows an ESA Floodplain Designation AE on the northeast corner of the property. Any future development that encroaches into the ESA Habitat or ESA Floodplain Designation AE would require a field assessment and the potential completion of an Alternative ESA Plan.

The subject property has approximately 550 feet of frontage on Teasley Lane. Teasley Lane is classified as a Primary Arterial per the City of Denton Mobility Plan. Primary Arterials provide major traffic movements within the City, typically are the highest traffic volume roadways in the city. Teasley Lane is currently a two-lane roadway. TxDOT has begun work to widen Teasley Lane to a six-lane divided roadway with a 135 feet ROW from the city limits north to Lillian Miller. According to a TxDOT On-System Report prepared by ITS (City of Denton consultant) published in December 2017, the anticipated completion date of the widening project is January 2020.

Utility service is available along the front or adjacent to the property. Water service is available from the existing 8-inch water line along Teasley Lane. All internal water lines will be private. During the platting/permitting process, the applicant will be required to provide sewer load calculations. At that time the City will review average daily flow and capacity to determine sewer options. There is an existing 8-inch public sewer main adjacent to the property located on the southeast corner of the property.

SURROUNDING ZONING AND LAND USES:

Northwest: Zoning: CM-G District Use: JH Guyer High School	North: Zoning: CM-G and RD-5 District Use: JH Guyer High School, and Gas Well Production and Drilling Site	Northeast: Zoning: RD-5 District Use: Manufactured Housing Development
West: Zoning: CM-G District Use: JH Guyer High School/Undeveloped land	SUBJECT PROPERTY	East: Zoning: NR-4 District Use: Manufactured Housing Development
Southwest: Zoning: NR-2 and CM-G Districts Use: Industrial Uses/Undeveloped land	South: Zoning: IC-E District Use: Industrial Uses	Southeast: Zoning: NR-2 District Use: Single Family Dwelling Units/Gas Well Production and Drilling Site

COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:

The purpose of the CM-G District is intended to provide the necessary shopping, services, recreation, employment and institutional facilities that are required and supported by the surrounding community. This zoning is typically located in areas with easy access, such as along major roadways or the intersection of local roads and arterial streets. Most commercial and institutional use are permitted by right. Multi-family dwelling is permitted with an approved Specific Use Permit or as part of a mixed use development. Refer to the attached list of permitted uses in the CM-G District for further detail.

The proposed CM-G District is compatible with the surrounding areas. The property has frontage on Teasley Lane a Primary Arterial and the property is in close proximity to commercial uses, which makes the permitted commercial uses and potential multi-family dwelling use compatible with the area. Industrial uses are located to the south of the property, across Teasley Lane. While some CM-G uses may be considered incompatible with existing and potential uses to the south, they are more compatible than uses currently permitted under NR-2 and RD-5 Districts. Furthermore, any future development that is proposed south of Teasley Lane will be buffered in way of a 135 feet wide primary arterial roadway.

COMPREHENSIVE PLAN:

Per the Denton Plan 2030, the Future Land Use designation for the subject property is Community Mixed Use.

“Community Mixed Use” is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complimentary. This land use applies to existing and future commercial areas in the city, where redevelopment to mixed-use is desirable. The intent is to encourage a more diverse and attractive mix of uses over time. Future development in Community Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to

increase their economic viability, accommodate greater connectivity and mobility options, and create a sense of place to serve the local community.

In determining the Future Land Use designations for this area, the following factors were considered: 1) Teasley Lane is a Primary Arterial that can handle the traffic demand for a mix of commercial uses; 2) along both sides of Teasley Lane there is potential to develop with mixed use and commercial uses, specifically Community Mixed Use primary and supporting uses such as retail, restaurants, office and residential; and 3) the area is one of the gateways into the City and should be developed with land uses that welcomes both residents and visitors.

The proposed CM-G District is consistent with the Future Land Use designation of Community Mixed Use. The permitted uses in the CM-G District include primary uses such as:

- a. Hotels
- b. Retail Sales and Services
- c. Restaurants
- d. Professional Services and Offices
- e. Drive Through Facilities
- f. Quick Vehicle Servicing
- g. Administrative or Research Facilities
- h. Elementary, Middle and High Schools
- i. Multi-family Dwellings with a Specific Use Permit or as part of a Mixed Use Development

In addition, the general regulations in the CM-G District allows for higher intensity development regulations compared to the NR-2 and RD-5 Districts. The CM-G District's maximum lot coverage is 80 percent and the District's maximum building height is 65 feet.

The goal for the area over time, with guiding policies, zoning, general regulations, and design standards, is a mix of land use types and intensities which would accommodate a wide range of Community Mixed Uses primary and supporting uses. Future development will be sited to avoid conflicts with sensitive land uses, and be compatible with the existing surrounding built environment through appropriate setbacks and buffering.

CONSIDERATIONS:

1. Per the Denton Plan 2030, the Future Land Use designation for the subject property is Community Mixed Use.
2. Section 35.3.4 of the Denton Development Code (DDC) states that an application for a rezoning may be approved based on the following conditions:
 - a. *The proposed rezoning conforms to the Future Land Use element of the Denton Plan; and*
 - b. *The proposed rezoning facilitates the adequate provision of transportation, water, sewer, schools, parks, other public requirements, and public convenience.*
3. The proposed zoning change and initial zoning request conforms to the Land Use Element. When considering the subject request the staff reviews the overall goals and objectives of the entire Denton Plan 2030.
4. The proposed zoning change and initial zoning request is consistent with Goal LU-2: Grow with Purpose: Achieve re-investment, revitalization, and redevelopment of key growth

Centers and Corridors. The proposed redevelopment of the area is consistent with the goal of grow with purpose because Teasley Lane is a key growth corridor, the immediate area is a key gateway center, and the future widening of the corridor will accommodate the growth and traffic capacity that is anticipated.

5. The existing NR-2 and RD-5 Districts are inconsistent with the Future Land Use designation of Community Mixed Use.
6. The proposed CM-G District is consistent with the Future Land Use designation of Community Mixed Use.
7. Primary permitted land uses in the CM-G District include:
 - a. Hotels
 - b. Retail Sales and Services
 - c. Restaurants
 - d. Professional Services and Offices
 - e. Drive Through Facilities
 - f. Quick Vehicle Servicing
 - g. Administrative or Research Facilities
 - h. Elementary, Middle and High Schools
 - i. Multi-family Dwellings with a Specific Use Permit or as part of a Mixed Use Development
8. Teasley Lane is a Primary Arterial and the future widening of the roadway can handle the traffic demand of the primary and supporting uses intended for Community Mixed Uses.
9. Water and wastewater service is available along the front or adjacent to the property.
10. The subject 6.37 acre property will be platted to facilitate the development of a commercial project, consistent with the goals and objectives of the Denton Plan 2030.

STAFF RECOMMENDATION:

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

PUBLIC NOTIFICATION:

To comply with the public hearing notice requirements, 14 notices were sent to property owners within 200 feet of the subject property, 13 courtesy notice postcards were sent to physical addresses within 500 feet of the subject property, a notice was published in the Denton Record Chronicle, and a sign was placed on the property.

NEIGHBORHOOD MEETING:

As of this writing, no neighborhood meeting was held by the applicant.