

Planning Report

Z17-0032/Colorado Townhouses

City Council District #1

March 7, 2018

REQUEST:

Hold a public hearing and consider a request by Eric Schmitz representing Marvin Jeffries to rezone approximately 8.887 acres from a Neighborhood Residential 6 (NR-6) District to a Neighborhood Residential Mixed-Use 12 (NRMU-12) District. The property is generally located on the southwest side of Colorado Boulevard, approximately 315 feet northwest of San Jacinto Boulevard. (Z17-0032, Colorado Townhouses).

OWNER:

Marvin Jeffries

APPLICANT:

Eric Schmitz

BACKGROUND:

The applicant, on behalf of the property owner, has requested a rezoning from NR-6 District to NRMU-12 District in order to develop the subject property with a Townhouse community. While townhomes are a permitted use in the NR-6 zoning district, the applicant intends to take advantage of the higher permitted density of the NRMU-12 district to achieve a residential density of approximately ten dwelling units per acre.

SITE DATA:

The subject property is undeveloped and platted as a remainder of Lot 56, Block A, The Oaks of Township II. The site was originally intended to be developed as future phases of the Villas of Piney Creek, however that did not occur. According to the plat, the site has approximately 904.1 feet of frontage along Colorado Boulevard. Colorado Boulevard is designated as a four lane, undivided, secondary arterial on the Mobility Plan.

A complete list of permitted uses in the current and proposed zoning district is provided in the Comparison of Permitted Uses table.

SURROUNDING ZONING AND LAND USES:

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| Northwest: Zoning: NR-3 Use: Single Family residential | North: Zoning: NRMU-12 Use: Multifamily residential | Northeast: Zoning: NRMU-12 Use: Multifamily residential |
| West: Zoning: NR-3 Use: Single Family residential | SUBJECT PROPERTY Zoning: NR-6 Use: Undeveloped | East: Zoning: RCC-D Use: Offices |
| Southwest: Zoning: NR-6 Use: Single Family residential | South: Zoning: RCC-D & RCR-1 Use: Future hotel site and medical offices | Southeast: Zoning: RCC-D Use: Bowling Alley |

COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:

Under NRMU-12 zoning, the subject property may develop with light commercial, including: office, retail, and institutional uses. The subject property may also develop with residential uses, including: townhomes, dwellings above businesses, or multi-family. Multi-family is permitted only with a Specific Use Permit (SUP) or if part of a mixed-use development.

The purpose of the NRMU and NRMU-12 zoning districts are to promote Neighborhood Mixed Use Activity Centers, as described in Denton Plan 2030. These activity centers would primarily allow a mix of retail, office, and moderate density residential to serve their surrounding single-family neighborhoods. NRMU and NRMU-12 may also serve as transitions between neighborhoods and non-residential zoning districts.

The proposed NRMU-12 district is typically used as a transition district between single family residential districts and more intense commercial districts. The use of the NRMU-12 district in this location helps to buffer the single family residential development located to the west and southwest from the existing multifamily uses located along Colorado Boulevard and commercial uses, such as the bowling alley and Golden Triangle Mall which are located along San Jacinto.

COMPREHENSIVE PLAN:

Per the Future Land Use Map in the *Denton Plan 2030*, the subject property is designated as “Moderate Residential.” This designation is primarily intended to promote single-family housing on small lots, typical of Denton’s more compact, established single-family neighborhoods. The density of Moderate Residential should range between four to twelve units per acre. Low-rise multifamily dwellings and townhomes may also be located in these areas so long as they maintain a scale, style, and building orientation complementary of the prevailing character of the area. This designation typically applies to areas within the central areas of Denton as a transition between established single-family neighborhoods and mixed-use or commercial areas that can accommodate greater density.

The proposed Townhouse development is compatible with the goals and objectives stated in the Denton Plan 2030 with regard to areas designated as Moderate Residential.

CONSIDERATIONS:

1. The request is for a rezoning from NR-6 District to NRMU-12 District on approximately 8.887 acres of land to facilitate the development of a townhouse development. The proposed use is permitted within the existing zoning at a maximum density of six dwelling units per acre, however the applicant wishes to develop the site with a density of approximately ten dwelling units.

The subject property is adjacent to two single family residential neighborhoods, as well as a bowling alley and a planned hotel. Multifamily apartments are located across Colorado Boulevard. The siting of attached single family townhouses, as proposed, will provide an excellent transition between the multifamily development to the north and the commercial development located to the south and east.

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 criteria:
 - a. *The proposed rezoning conforms to the Future Land Use element of the Denton Plan 2030.*

The Future Land Use Map designation for the subject property is “Moderate Residential.” Residential uses under the proposed NRMU-12 district complies with the designation. However, permitted commercial uses would not be conforming.

- b. *The proposed rezoning facilitates the adequate provision of transportation, water, sewer, schools, parks, other public requirements, and public convenience.*

The development will be required to comply with all of the City's transportation, drainage, and infrastructure requirements. In addition, the development will be required to comply with all tree preservation requirements.

STAFF RECOMMENDATION:

While the rezoning request generally complies with the criteria established by the DDC, commercial uses on the site are not consistent with the existing land uses. Accordingly, staff recommends approval of this rezoning request with the following conditions:

1. The Mixed Use Protection Overlay is also approved with the following limitations:
 - a) There shall be no uses permitted other than single family attached, including townhouses or single family detached dwelling units.
 - b) The overall density shall not exceed ten dwelling units per acre.

PUBLIC NOTIFICATION:

To comply with the public hearing notice requirements, 45 notices were sent to property owners within 200 feet of the subject property, 88 courtesy notices were sent to physical addresses within 500 feet of the subject property, a notice was published in the Denton Record Chronicle, and signs were placed on the property. As of this writing, staff has received four responses opposed to the request from property owners within 200 feet of the subject site, comprising 3% of the property located within 200-foot noticing boundary, and two responses in favor of the request, also comprising 3% of the property located within 200-foot noticing boundary. One property owner sent in two responses, one in opposition which was sent before he knew what was planned for the site, and one in favor, sent after he learned that single family residential was planned for the site.

The applicant held a neighborhood meeting to which 29 citizens attended. The most frequently expressed concern was regarding cut-through traffic along a possible extension of Clermont Lane to Colorado Boulevard.