

Planning Staff Analysis

PD24-0004/Villages of McKinney

City Council District #1

REQUEST:

Rezone approximately 12.1 acres from Residential 3 (R3) to Planned Development (PD) – Residential 6 District (PD-R6) for a proposed residential development that includes 119 residential dwellings with a minimum lot size of 1,850 square feet.

SITE DATA:

The subject site's approximately 12 acres is a long and narrow rectangular tract, approximately 2,075 feet in length and 244 feet wide at the south end and 260 feet wide at the north end. The site is encumbered by a 42-foot-wide electric utility easement which runs along the east side and additionally requires separation from offsite overhead utility lines along the west side. Trees are scattered throughout the site with the densest canopy coverage along the north and south property lines. A large drainage channel abuts the east property line, separating the subject site from an existing single-family residential neighborhood.

The general area's street network includes a variety of roadways which are classified by the 2022 Mobility Plan as follows: :

- **East McKinney Street:** East McKinney Street is designated as a Secondary Arterial. Typically, Secondary Arterial roadways require 110 feet of right-of-way dedication to accommodate four travel lanes, a center median, and 10-foot multi-use paths. Currently, the segment of East McKinney adjacent to the subject property on the southern end is constructed as a two-lane undivided roadway with shoulders and interrupted sidewalks. Capital Improvement Plans indicate a 10-foot multi-use path with illumination will be installed along the south side of East McKinney street beginning mid-year 2025.
- **Paisley Street:** Paisley Street is an existing Collector roadway that abuts the subject property on the north end. Typically, Collectors require 65 feet of right-of-way dedication and are constructed with two to four travel lanes and eight-foot-wide sidewalks on both sides of the road. Currently, Paisley Street is constructed with two travel lanes, on-street parking and 8-foot-wide sidewalks along both sides of the road. Due to the nearby elementary school, Paisley Street also includes a traffic calming measure to slow vehicles at the intersection with Longmeadow Street. There are no Capital Improvement Plans for Paisley Street.
- **Neighborhood Streets:** Silver Sage Drive and Aspenhill Drive are existing residential streets that connect to the site and serve the neighborhood to the east. Both are neighborhood streets with 50 feet of right of way to accommodate vehicular traffic and 5-foot sidewalks. When the subject property develops, Silver Sage Drive and Aspenhill Drive must be extended in accordance with Denton Development Code (DDC) Subsection 7.8.6C.2.
- **Audra Lane:** The 2022 Mobility Plan designates Audra Lane as a Secondary Arterial. Currently, it is constructed as a two-lane undivided roadway with curb and gutter and some sidewalks. Audra Lane does not abut the subject property but connects to Paisley Street at a four-way stop intersection approximately 1,740 feet to the west. There are no Capital Improvement Plans for Audra Lane.
- **Mockingbird Lane:** Per the 2022 Mobility Plan, Mockingbird Lane is an existing Collector roadway. Currently, Mockingbird Lane is constructed with two travel lanes, on-street parking, and limited sidewalks. Mockingbird Lane connects to Paisley Street approximately 1,660 feet west of the subject property. There are no Capital Improvement Plans for Mockingbird Lane.

SURROUNDING ZONING AND USES:

Northwest: Zoning: Residential 4 (R4) District Use: Single-family residential	North: Zoning: R4 District Use: Single-family residential	Northeast: Zoning: R4 and Public Facilities (PF) District Use: Single-family residential
West: Zoning: R4, PF, and Residential 7 (R7) Districts Use: Single-family residential, elementary school, and multi-family dwellings	SUBJECT PROPERTY	East: Zoning: R4, R7, and Mixed Use Neighborhood (MN), R3 Districts Use: Single-family residential, townhomes, and undeveloped parcels
Southwest: Zoning: MN District Use: Multi-family dwellings across McKinney St	South: Zoning: PF District Use: Electric substation across McKinney St	Southeast: Zoning: MN District Use: Multi-family dwellings across McKinney St

As shown above, property surrounding the subject site includes established single-family residential neighborhoods, townhomes, multifamily dwellings, and an elementary school. Surrounding densities range from 3.5 to 4 dwellings per acre for single-family neighborhoods to 10.5 dwellings per acre for townhomes. Multifamily dwelling densities in the area range from 16 to 20 dwellings per acre.

CONSIDERATIONS:

A. Section 2.4.5.E of the DDC provides approval criteria applicable to all applications.

1. *General Criteria*

a. *Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

The review criteria were applied as required.

b. *The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.*

Section 2.7.3.D of the DDC applies to this rezoning to PD request. An analysis of this request per those criteria can be found below in Consideration B.

c. *If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*

There are no conflicts between the general criteria and the criteria specific for rezoning to PD requests.

2. *Prior Approvals*

There have been no prior approvals for this proposed Planned Development.

3. *Consistent with the Comprehensive Plan and Other Applicable Plans*

The decision-making authority:

a. *Shall weigh competing goals, policies, and strategies.*

As discussed in greater detail below, the requested PD conforms to the Infill, Housing, and Urban Design goals of the Denton 2040 Comprehensive Plan, but the proposal is inconsistent with the maximum density of 5 dwelling units per acre described in the Low Residential Future Land Use designation (ten dwelling units per acre proposed). However, staff has concluded that the proposal is consistent with the overall Denton 2040 Comprehensive Plan goals, which is discussed further below.

When weighing the Comprehensive Plan's goals, it is important to consider that the Future Land Use Map (FLUM) is intended to provide high-level policy direction using broad land use assumptions about a given area. It generally does not take into account detailed information about a specific site's encumbrances, surrounding land uses, compatibility, existing zoning entitlement, mobility, or context. While the FLUM is typically the first and an important reference point for a rezoning analysis, it should not be the only consideration, particularly in infill locations—other goals are often equally important.

Generally, rezoning proposals which are consistent with the overall Comprehensive Plan goals but inconsistent with the FLUM are often accompanied by a Comprehensive Plan Amendment to update the FLUM. This is, and will continue to be, a best practice for larger tracts and when there is a drastic change in land use. In this instance, however, a Comprehensive Plan Amendment is not recommended due to the small size of the property and the general consistency in residential land use.

- b. *May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in the Comprehensive Plan.*

As noted above, the proposed development does not precisely match the FLUM designation related to density (maximum 5 dwelling units per acre) but does meet the overall goals of the comprehensive plan. Outlined below are the major goals of the Plan that are met by this proposal as well as a detailed breakdown of how this development compares to the Low Residential FLUM designation.

Infill

The “Denton 2040 Comprehensive Plan highlights the community's desire to encourage infill development and redevelopment as a means to slow outward growth, create vibrancy in commercial districts, and reinvest in and stabilize certain districts and neighborhoods.”

Platting and development of the immediate area surrounding the subject property began in the 1970's and continued with additional neighborhoods in the 1980's and most recently with a new townhome development in 2017. However, the subject site remained largely unimproved except for a few residential structures and storage, leaving a narrow gap in the neighborhood development pattern.

With the proposed PD, this gap could be filled with a compatible residential use, meeting the following infill goals:

- Goal LU-1: Grow Compactly: Achieve sound, sustainable growth in compact development patterns with balanced land uses planned in coordination with transportation and infrastructure systems.

The proposed PD would facilitate the development of necessary housing on an undeveloped tract inside Loop 288, approximately 1.5 miles from downtown. The development would activate an infill site that is served by existing public infrastructure, including roads, water/wastewater, and schools.

- Goal LU-3: Types of residential products that could be suitable infill in single-family neighborhoods include well-designed townhomes, fourplexes, duplexes, and other types of low-moderate density housing which is potentially compatible within single-family neighborhoods.

The proposal allows single-family detached dwellings designed with smaller setbacks and private yards on small lots which provides an alternative housing type to meet the needs of a variety of households. While denser than the adjacent single-family neighborhoods which average four dwellings per acre, the proposed use and design is suitable in an infill context and is consistent with the overall density pattern of the area when nearby townhomes and multifamily uses are considered. Additionally, the PD District's design includes a public off-street trail within the existing utility easement to provide connectivity and recreation for the area.

Housing

The Denton 2040 Comprehensive Plan acknowledges that, "With housing demand expected to increase over the next five years, providing diverse housing options in a variety of densities, styles, and price-points is critical to increasing the affordability of housing in Denton." The proposed 119 Zero Lot Line Dwellings are designed as detached single-family dwellings with minimal yards to provide a needed housing type option for current and future residents and is consistent with the housing goals within the City, including the following:

- Table 1.3: Per Table 1.3, Residential Demand by Type, the City will need approximately 19,808 new detached residential units by 2040 to meet population growth estimates. As of the writing of this report, the City has issued 2,228 of permits for single-family detached dwellings since the Comprehensive Plan was adopted in March 2022.
- Goal HN-1: Develop and maintain a housing stock that meets the needs of all residents with a diverse array of choices in type, cost, and location.

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Future Land Use

The Future Land Use Map designation for the subject property is Low Residential (Figure 1), which is intended for the city's predominantly single-family neighborhoods, with lot sizes ranging from one acre or more in rural fringe areas up to five units per acre gross density throughout many of the city's suburban subdivisions. Dwellings in this land use district are generally one to two stories with private driveways and yards. Building and driveway orientation, the locations of private garages, building material, and the presence of sidewalks vary by neighborhood and the era of neighborhood development. Generally, these types of single-family neighborhoods are developed as distinct subdivisions that are linked by internal circulation systems with limited access to local and connector roads.

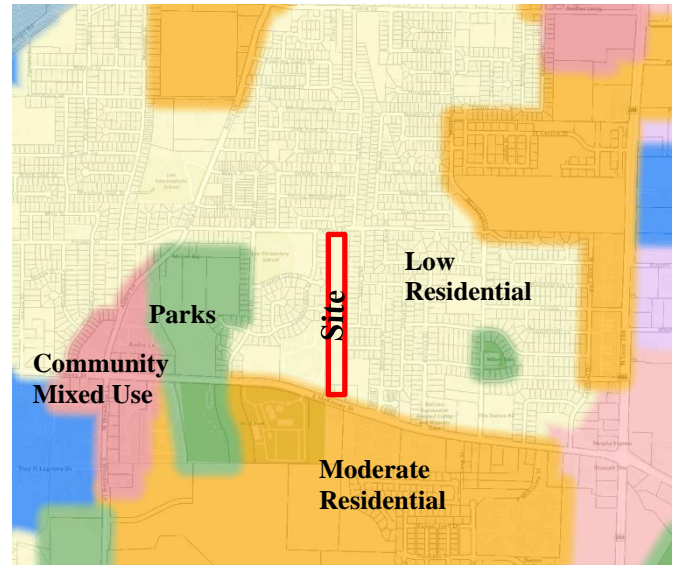


Figure 1 Future Land Use Map

At ten dwellings per acre, the proposal does not meet the density generally desired for Low Residential. However, because of the narrow configuration of the subject site, the utility encumbrances, and the proposed use, additional analysis of the intent of Low Residential is warranted. The following is a comparison of the Low Residential description to the proposal:

- Land Use: The proposed single-family residential use is **consistent** with Low Residential.
- Lot Design and Architecture: While the proposed lots are smaller than outlined in the Low Residential description, each lot includes small, private front and back yards. Additionally, each dwelling includes a private garage and traditional residential architecture. Therefore, the lot design and architecture are generally **consistent** with Low Residential.
- Neighborhood Design: The proposal is a distinct subdivision with common open space and vehicular/pedestrian connections to both the adjacent neighborhood and the collector and arterial network, **consistent** with Low Residential.

Urban Design Principles (Table 4.1)

The following are elements included in the proposed site and landscape design which meet the City's urban design goals:

- Health and Safety- The proposal prioritizes pedestrian safety with on-street traffic calming (roundabout and speed cushions), narrowed driveways to reduce the interruption of the sidewalk, and an off-street trail through the electric easement.
- Connectivity- The proposal connects East McKinney Street to Paisley Street with a residential street and extends Aspenhill Drive and Silver Sage Drive into the development, improving overall connectivity. Each street includes the required 5-foot sidewalk.

- Neighborhood Scale- The proposal is a small development surrounded by existing, established single-family and multi-family neighborhoods. It is approximately 2,075 feet end-to-end, allowing residents living at the south end near East McKinney street to reach the north end in a 5- to 10- minute walk and the nearby elementary school in about a 10- to 15-minute walk.
- Landscaping and Open Space- An onsite trail provides active recreation for residents and will be open to the public.

Preferred Land Preservation Plan

The site does not contain any areas identified in on the Preferred Land Preservation Map.

4. *Compliance with this DDC*

- a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

This request is to rezone the subject site from R3 District to a Planned Development. The proposed Development Regulations provided in Exhibit 6 indicate an intent to develop in accordance with the 2019 DDC except for specific deviations outlined in the document, which are further summarized in Exhibit 1.

- b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*

Compliance with the DDC has been analyzed at the level of detail necessary for a Planned Development. Other departments (Engineering, Solid Waste, Denton Municipal Electric, and Fire) reviewed the proposal for conceptual conformance with the design standards for public facilities and safety. Pending approval of this PD, additional review for full compliance with the DDC will take place at submittal of the plat, civil engineering plan, and building permit applications.

5. *Compliance with Other Applicable Regulations*

The PD regulations document indicates that the development will comply with all provisions of the 2019 DDC other than those deviations proposed in Exhibit 6. The development will also be required to comply with the City's Design Criteria Manuals for utility and drainage improvements.

As for the proposed internal north-south street, Engineering staff, Transportation Planning, and Fire have reviewed and approved a modification to the typical Residential Street section pursuant to Subsection 5.11 of the Design Criteria Manual. The subject property's narrow width and existing easements create challenges for developing the site; therefore, the applicant requested a reduction in the Residential Street right-of-way dedication from the required 55 feet to 51 feet, provided that on-street parking would be limited to one side of the street. This would result in a street width reduction from 33 to 29 feet (back of curb to back of curb), allowing for a seven-foot-wide parking lane at the curb, and 21 feet for travel lanes (see Figure 2, below). For comparison, typical Residential Streets require 55 feet of right-of-way dedication and street widths of 33 feet (back of curb to back of curb) to accommodate parking (7.5-feet in width) on both sides of the street and 18 feet for travel lanes (see Figure 3, below). It should be noted that if the PD is approved, restricting parking to one side of the street must be approved by City Council during development.

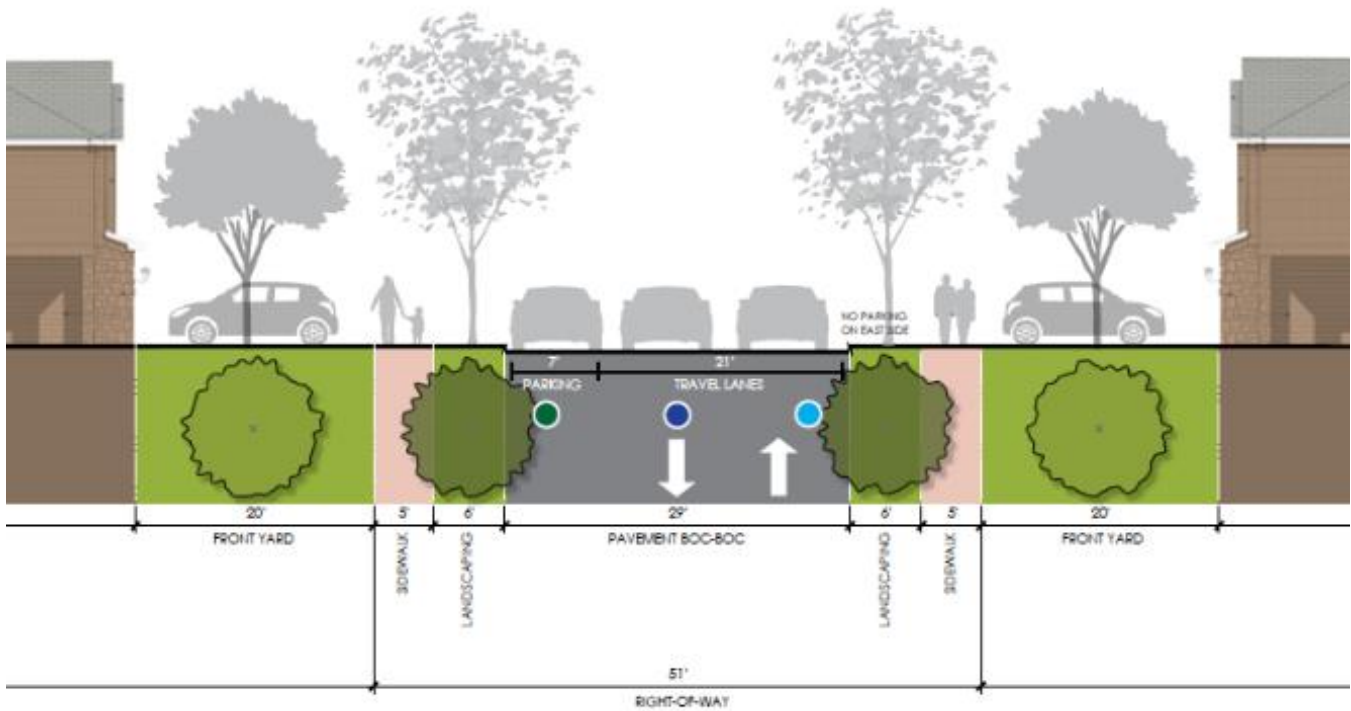
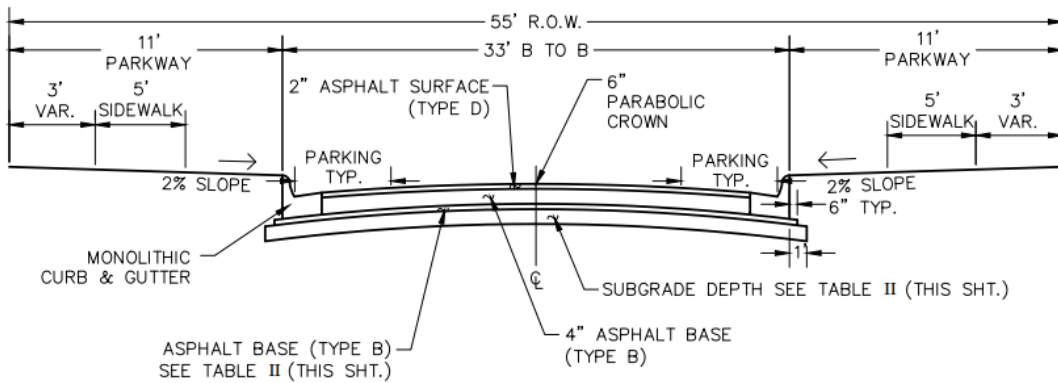


Figure 3 Approved Modified Street Section



- A) ANGLE PARKING BAYS ARE PERMITTED.
- B) A MINIMUM 12 FT. WIDE UNOBSTRUCTED TRAVEL LANE SHALL BE PROVIDED.

Figure 2 Typical Residential Street Section

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements applicable to the site.

B. Minimizes Adverse Environmental Impacts

There are no Environmentally Sensitive Areas on the property, and the site must comply with the City's requirements for storm water management and tree preservation during the platting and engineering plan review process. Additionally, the site is not designated on the Preferred Land Preservation Plan and does not contain any identified potential wildlife corridors.

8. *Minimizes Adverse Impacts on Surrounding Property*

The proposed residential use is consistent with the area's existing uses and would not introduce incompatible activities to the area. Although no compatibility buffer would be required between the proposed use and surrounding neighborhoods, existing electric utilities and drainage infrastructure create separation between the proposed residences and those on adjacent properties.

9. *Minimizes Adverse Fiscal Impacts*

The Fiscal Impact Tool was used to analyze the proposed rezoning. Assumptions used to generate the overall projected General Fund revenues and expenses include property tax payments, sales tax capture, roadway maintenance costs, utility usage, solid waste costs, public safety costs, and neighborhood service costs. The Fiscal Impact Summary indicates that the proposal will result in a net 338 new residents and a \$164,700 cost to the General Fund over a 40-year project duration.

Although the proposal is not expected to result in a net positive for revenue, which is typical of single-family residential development, fiscal impacts are only one criterion analyzed for Staff's recommendation. The proposal meets a variety of goals within the Denton 2040 Comprehensive Plan and other criteria for approval.

10. *Compliance with Utility, Service, and Improvement Standards*

This proposed rezoning will not negatively affect utilities, services, or other improvements. Utilities and infrastructure will be extended through the property to connect with existing infrastructure in McKinney Street and Paisley Street as necessary to support this development.

11. *Provides Adequate Road Systems*

Roads necessary to provide access to proposed dwellings will be provided as shown on the PD Development Plan. A variance for the internal street width was approved by City Staff, as discussed above.

12. *Provides Adequate Public Services and Facilities*

This proposed rezoning will not negatively affect public services and facilities. Adequate public services are available to serve the development.

C. Rational Phasing Plan

No phasing is proposed.

D. Section 2.7.3.D of the DDC states that an application for a rezoning to PD district may be approved based on the following conditions:

a. *Complies with the goals of the Comprehensive Plan.*

As was indicated above, the development is inconsistent with the Future Land Use designation, but generally consistent with the overall goals of Denton 2040 Comprehensive Plan.

b. *Complies with this DDC, except where modifications are expressly authorized through the PD zoning document, the PD development standards document, and in the PD development plan map.*

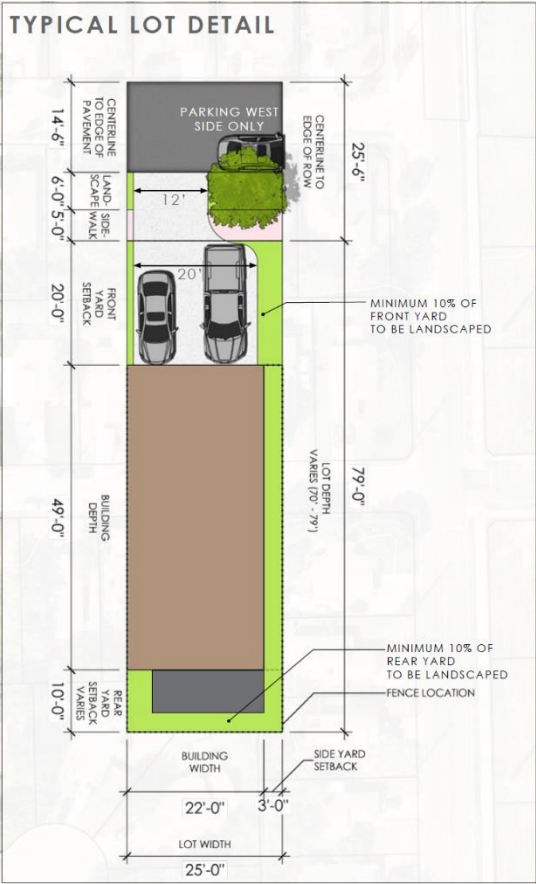
The proposed PD Regulations indicate an intent to comply with all aspects of the DDC other than those deviations expressly identified in Exhibit 6. These proposed deviations are detailed in Exhibit 1 Table.

- c. *Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in the PD district.*

Under the current zoning of R3 District, the property could be developed with any uses permitted within that district, including single-family dwellings, community home, religious assembly, school, or outdoor recreation facility. The minimum lot size is 10,000 square feet, and no common open space is required for single-family detached developments.

The proposal, while denser than the surrounding single-family developments, will facilitate the development of single-family detached dwellings as Zero Lot Line Dwellings, providing a housing type that allows single-family ownership with less outdoor maintenance (typical lot detail shown, right). The proposal also includes the following enhancements which exceed the minimum requirements:

- Landscaped entry features with 6-foot masonry screening walls located at the East McKinney Street and Paisley Street intersections.
- Traffic calming devices to reduce driver speeds at pedestrian crossings and to maintain safe speeds for the length of the residential street.
- Publicly accessible 2,100-foot long and ten-foot-wide off-street trail located inside the existing public utility easement connecting East McKinney Street and Paisley Street.
- Plaza area with seating near ten-foot trail.
- Landscaped open space with central traffic circle centrally located within the development.
- Total open space (including public utility easement) is a minimum of 10% of the property acreage.



- d. *In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding areas.*

Property surrounding the subject site includes established single-family residential neighborhoods, multifamily dwellings, and an elementary school. As a single-family detached residential use, the proposal will not introduce any new uses or activities within the area.

Densities and lot sizes in the general area are mixed, ranging from 3.5 to 4 dwellings per acre for single-family neighborhoods to 10.5 dwellings per acre for townhomes. Multifamily dwellings located south and west of the subject site include 16 to 20 dwellings per acre. The proposal's density of approximately ten dwellings per acre is consistent with the overall area's mix of densities and provides a transition from the higher density multifamily uses along East McKinney Street to the neighborhoods to the north and east.

Additionally, the PD regulations and site design will increase compatibility with the surrounding neighborhoods. The dwellings are limited to a maximum of two stories, and landscaped open space lots placed at all entrances will provide visual breaks from the structures. Because parking will be limited to one side of the street, the proposal requires four parking spaces per unit and 20 centrally located off-street guest parking spaces. This will minimize the potential for spill-over parking into nearby streets.

Finally, the proposed PD will provide a residential option not commonly seen in Denton on an infill lot, contributing to the area's housing options.

- e. *In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended.*
Non-residential uses are not proposed as part of this PD.
- f. *The provisions of public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD district.*

Schools

Based on Denton ISD's student generation formulas, the proposed development of 119 single-family dwellings is expected to generate approximately 27 elementary school students, 14 middle school students, and 18 high school students. The subject property is within the attendance zones for Alexander Elementary School, Strickland Middle School, and Ryan High School and no capacity issues have been identified.

Nearest Fire Station

The closest fire station to the subject property is Fire Station 2 at 3309 East McKinney Street. The subject property is located approximately 0.33 mile from Fire Station 2 and is within the eight minutes or less response time boundary.

Water and Wastewater

Public water and wastewater services are available to the site and will be extended throughout the site to serve the lots generally in accordance with the preliminary utility plans. No utility capacity issues have been identified that would affect the proposed development.

Streets

Transportation related to the proposal

As part of the PD rezoning request, the applicant submitted a Traffic Impact Analysis that was reviewed and approved by the City's Transportation Engineers. According to the *ITE's Trip Generation Manual, 10th Edition*, the proposal will

generate 857 daily trips, with 57 morning peak hour trips, and 68 evening peak hour trips.

As part of the development of the site, the applicant will be required to construct an east-bound left-turn deceleration lane on East McKinney Street to allow vehicles to move out of the travel lanes when making a left-hand turn into the site. A right-turn deceleration lane is not required, as the posted speed on East McKinney (35 miles per hour) and low number of right-hand turns did not meet the minimum requirements to necessitate the installation.

Roadway Impact Fees

Roadway impact fees, paid at the time of development, are determined using a proportionality calculation based on the number of dwelling units and projected vehicle trips. These fees are used to make roadway system improvements related to the Mobility Plan.

Parks

Mack Park is within about a quarter-mile distance from the subject site; however, due to the lack of public sidewalks and safe crossings along East McKinney Street, walking to the park under current conditions would be difficult and unsafe. Future improvements to the pedestrian facilities on East McKinney Street will improve pedestrian conditions, but not fully resolve the barriers to crossing the roadway to access the southern portion of Mack Park. Additionally, common open spaces and trails within this development will provide residents with passive recreational opportunities within the development.

In order to provide for adequate parks, all residential developments must provide the following:

- *Dedicated park land or fees paid in lieu of dedication.* Dedication fees are assessed prior to the filing of the plat and based upon a formula whereby the City's population is divided by the number of neighborhood and community park acres in the City to establish the number of residents per acre. The estimated park dedication required for the proposed development is 0.92 acre.
- *Park development fee.* A park development fee for each dwelling is required with every building permit.