

# Planning Staff Analysis

**Z21-0019 / 2500 Panhandle**

**City Council District #3**

## **REQUEST:**

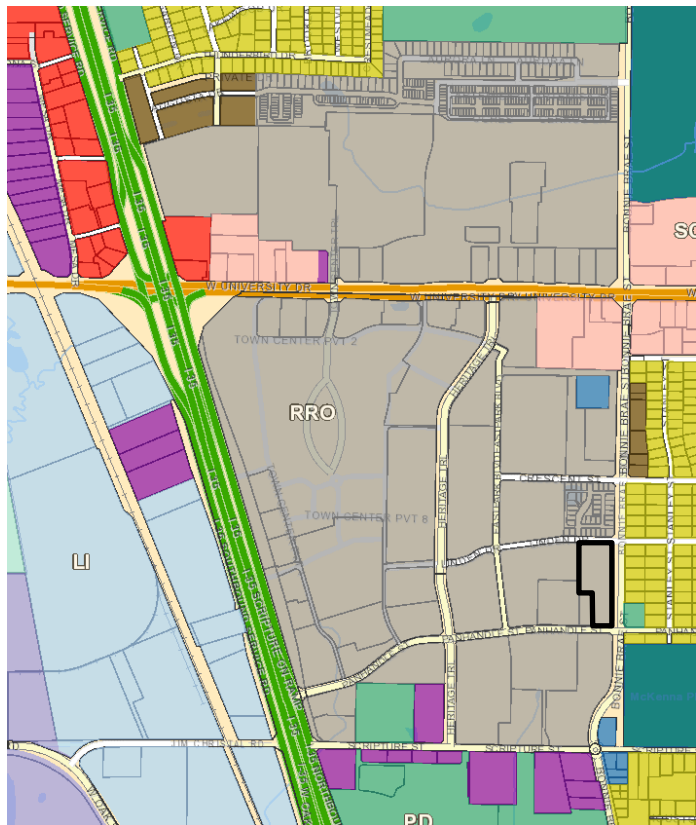
Request to rezone 3.819 acres from the Rayzor Ranch Overlay (RRO) District to Mixed-Use Neighborhood (MN) District.

## **STAFF RECOMMENDATION:**

Staff recommends approval of the request as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.2.D of the DDC for approval of a zoning change.

## **SITE DATA:**

The Rayzor Ranch Overlay District consists of approximately 410 acres located on both sides of West University Drive (US 380), between IH-35 and Bonnie Brae Street. The established purpose of this overlay district was to allow for the development of a regional mixed-use center with a unique urban design that supports a walkable live-work-play environment. The portion of the district located south of West University Drive, the South Campus, is conceptually divided into several subareas with varying base zoning designations and planned land uses including open park space, single-family residential, multifamily residential, professional offices, regional retail, hotel facilities, and medical service. The development of such uses is subject to the applicable Rayzor Ranch Development Standards and Procedures and/or the 2002 Denton Development Code. The subject property is located at 2500 Panhandle Street, just west of Bonnie Brae Street between Panhandle Street and Linden Drive, along the easternmost border of the Rayzor Ranch Overlay District boundaries. The tract is situated within the NRMU base zoning district from the 2002 DDC and conceptually planned to permit the construction of office and single-family residential uses.



Existing adjacent developments within the Overlay District include the Vista at Rayzor Ranch Senior Living Apartments to the northwest of the subject property and the Gas Well Drilling and Production pad site to the south, opposite Panhandle Street. To the southwest, a Zoning Compliance Plan for a medical office facility is currently under review by Staff and will come before the Planning and Zoning Commission for approval at a later date as required by the RRO District. Additional multifamily development is planned within the vicinity, but Staff has not yet received formal plans or applications. To the north, opposite Linden Drive, the Rayzor Cottages single-family development is planned and platted, but construction has not yet begun. The properties to the east, opposite Bonnie Brae Street, are zoned R3 and developed with single-family residential lots. Furthermore, the property located at the immediate northeast corner of Panhandle

Street and Bonnie Brae Street is zoned with a PD-MN and developed with a mix of medical and professional office spaces.

The area's zoning pattern is consistent with the existing development as shown on the inset map. This information is further summarized in the table below.

Area roadways follow the development pattern with neighborhood streets feeding into Collector and Arterial roadways:

- Bonnie Brae Street is designated as a Secondary Arterial per the City's 2022 Mobility Plan. It is constructed with four travel lanes and a continuous sidewalk along the eastern side. The developer of the areas adjacent to this right-of-way would be responsible for adding sidewalks along their street frontage.
- Panhandle Street is designated as a Future Collector per the City's 2022 Mobility Plan. It is constructed with two travel lanes and segments of sidewalks within the Rayzor Ranch Overlay District. Within the Rayzor Ranch South Campus, the right-of-way dedication and street construction for Panhandle Street has been completed by the overall property owner/developer. As individual parcels are developed, those property owners will be asked to construct any uncompleted segments of sidewalk adjacent to their property.
- Linden Drive is a neighborhood street with 2 lanes of travel and on-street parking facilities within the portion of the right-of-way within the Rayzor Ranch Overlay District.

#### **SURROUNDING ZONING AND USES:**

Northwest: Zoning: RROD District Use: Undeveloped (platted for single-family residential)	North: Zoning: RROD District Use: Undeveloped (platted for single-family residential)	Northeast: Zoning: R3 District Use: Single-family residential
West: Zoning: RROD District Use: Multifamily residential	<b>SUBJECT PROPERTY</b>	East: Zoning: R3 District Use: Single-family residential
Southwest: Zoning: RROD District Use: Undeveloped (ZCP for medical office under review)	South: Zoning: RROD Use: Gas Well Drilling and Production Site	Southeast: Zoning: PD-MN Use: Offices

#### **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 2.7.2.D of the DDC applies to this rezoning 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 zoning requests.
2. *Prior Approvals*  
The proposal is consistent with the intent of prior land use approvals and plans associated with this subarea of the Rayzor Ranch Overlay District.
3. *Consistent with the Comprehensive Plan and Other Applicable Plans*  
The decision-making authority:
  - a. *Shall weigh competing goals, policies, and strategies.*  
There are no competing goals, policies, or strategies with this proposal.
  - 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.*

#### **Future Land Use**

Per the Denton 2040 Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated as Regional Mixed Use. This designation applies to areas that serve as regional destinations within Denton. Development may include residential, commercial, office, entertainment and other uses except industrial, at the highest levels of scale and density within the city.

The proposed MN District is consistent with the Future Land Use Designation, as it would facilitate development of commercial uses that provide for both the day-to-day neighborhood services for the growing community surrounding the site and the convenience of proximity for the region.

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 for a rezoning of the subject site from the RRO District to the MN District. All subsequent development on this site will comply with applicable standards in the DDC, including, but not limited to, minimum lot size and dimensions, building coverage, access, parking, tree preservation, and landscaping. Since the RRO is based on the 2002 DDC, this rezoning would facilitate the development of the subject property in a manner consistent with the current (2019) DDC.
  - b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*  
Typically, a rezoning to one of the DDC's established districts does not include a full review of all development standards. If the proposed rezoning is approved, prior to approval of any permitted use or use requiring approval of a Specific Use Permit, a detailed review will be completed.

5. *Compliance with Other Applicable Regulations*

This proposed rezoning complies with all other applicable regulations. Concurrently with zoning the subject property out of the RRO, the concept plan and zoning plan for the RRO District are being updated to remove the subject property, thereby reducing any future confusion about the zoning or development standards applicable to this property (refer to Exhibits 8 and 9).

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements for the subject site.

7. *Minimizes Adverse Environmental Impacts*

Development of the site must conform to all floodplain restrictions; therefore, no adverse environmental impacts are anticipated. Although no Environmentally Sensitive Areas (ESA) or protected trees are present on the subject site, if the change to a straight zoning district is approved, development of the site would be required to comply with all DDC regulations related to ESAs, tree preservation, and landscaping.

8. *Minimizes Adverse Impacts on surrounding Property*

The Mixed-Use Neighborhood District is a mixed-use zoning district intended to support compatibility between higher-intensity mixed-use areas and adjacent residential and commercial areas. This district contributes to an environment for pedestrians and bicyclists and includes varying densities of residential, neighborhood serving retail, restaurants, commercial, and office uses that are sensitive to the surrounding built and natural context in scale and form. Permitted development scale allows for 40 feet maximum building height (65 feet maximum height with approval of a specific use permit) and 80 percent building coverage. Due to the intensity of the possible future uses, development standards are important to ensure compatibility with the surrounding area. The following required development standards will minimize adverse impacts, so that, if approved, future uses would complement existing development:

- **Street trees:** one street tree must be planted every 30 feet along Bonnie Brae Street, Linden Drive, and Panhandle Street in accordance with DDC Section 7.7.7. These trees are in addition to right-of-way screening.
- **Parking lot landscaping:** per DDC Section 7.7.5F, developers are required to select landscaping elements from a menu, including (but not limited to) screening along the right-of-way, parking lot landscape islands, landscaped parking lot endcaps, and/or landscaped medians in parking areas. Landscaped islands, endcaps, and medians are required to include large-canopy trees.
- **Setbacks:** per DDC Section 3.3.1, the setback along all rights-of-way is 10 feet.
- **Lighting:** all commercial developments must conform to the minimum lighting requirements in DDC Section 7.11, including shielding of lights and maximum light spillover at the property line.
- **Overall minimum tree canopy and landscape area:** MN District requires minimum 40 percent mature tree canopy and 20% landscape area in accordance with DDC Table 7.D.

Furthermore, the existing RRO zoning permits a maximum building height of 65 feet for single-family development and 100 feet for all other uses, except for offices and hotels, which are allowed up to 200 feet above grade if it can be demonstrated to be within the maximum height above mean sea level allowed by the Federal Aviation Authority. Additionally, the RRO permits up to 90% lot coverage and as low as 10% landscaping for this subarea. Therefore, the proposed zoning change from RRO to MN District reduces potential visual impacts to the nearby single-family homes both within the RRO and within the R3 District located across Bonnie Brae. Although additional commercial uses beyond just offices (as limited by the RRO) would be permitted within the MN District, the scale of development and design requirements noted above will ensure compatibility with surrounding development along Bonnie Brae Street.

9. *Minimizes Adverse Fiscal Impacts*

This proposed rezoning is not anticipated to create adverse fiscal impacts.

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

This proposed rezoning will not affect utilities, services, or improvements. When the site is developed, it will be reviewed to ensure compliance with all applicable standards.

11. *Provides Adequate Road Systems*

The subject property is located at the intersection of a Secondary Arterial and Future Collector in a growing area. Any development of the site which generates more than 1,000 trips per 24 hours or 100 trips during peak times will be required to submit a Traffic Impact Analysis to determine any needed improvements to accommodate the additional trips generated by the use.

12. *Provides Adequate Public Services and Facilities*

The proposed rezoning is not anticipated to negatively impact public services and facilities.

13. *Rational Phasing Plan*

This proposed rezoning does not have a phasing plan.

B. Section 2.7.2.D of the DDC states that an application for a rezoning may be approved based on the following conditions:

a. *The proposed rezoning is consistent with the Comprehensive Plan.*

As discussed in A.3.b above, the proposed zoning of MN District is consistent with Denton 2040 Comprehensive Plan and will permit the development of commercial and neighborhood service uses typically found along arterial roadways near residential areas.

b. *The proposed rezoning is consistent with relevant Small Area Plan(s).*

There is no small area plan approved for this site.

c. *The proposed rezoning is consistent with the purpose statement of the proposed zoning district, as provided in Subchapter 3, Zoning Districts.*

Per Section 3.3.1A, "The MN district is provided to support compatibility between higher-intensity mixed-use areas and adjacent residential and commercial areas. This district contributes to a vibrant environment for pedestrians and bicyclists and includes varying densities of residential, neighborhood-serving retail, restaurants, commercial, and office uses that are sensitive to the surrounding built and natural context in scale and form."

The proposed MN District in this location is consistent with the purpose statement, as the site is located near the intersection of an Arterial and Collector roadway. Furthermore, the site is separated from existing neighborhoods by roadway infrastructure, so that future commercial uses would be accessible, but buffered from residential properties.

- d. There have been or will be significant changes in the area to warrant a zoning change.*

The Rayzor Ranch Overlay District permits the construction of 1,800 multifamily residential units within the South Campus. As these properties develop, additional locations for commercial development are appropriate to provide for necessary retail and services within proximity to neighborhoods. The proposed rezoning would allow for this type of future development, is a logical extension of the existing MN District located across Bonnie Brae, and is compatible with the RRO District and R3 District surrounding subject property.

- e. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.*

#### **Transportation related to the proposal**

Due to the number of trips typically generated by the proposed retail with drive-through use, staff does not anticipate adverse traffic impacts related to the proposed rezoning. However, because this is a zoning case, if approved, any uses within the MN District could be developed. At the time of development of any commercial uses, if the number of potential trips exceeds 1,000 within a 24-hour period, a Traffic Impact Analysis would be required.

#### **Roadway Impact Fees**

Roadway impact fees, paid at the time of development, are determined using a proportionality calculation based on the proposed uses and projected vehicle trips. These fees will be assessed based on plans submitted and are used to make roadway system improvements related to the Mobility Plan.

#### **Access and Perimeter Street Improvements**

No additional perimeter street improvements would be required at this time. Both Linden Drive and Panhandle Street were constructed as part of the overall Rayzor Ranch development. Bonnie Brae Street, classified as a secondary arterial, has an existing total right-of-way width of 100 feet with 67.5 feet from the centerline to subject property. Per Table 1.3.1 of the Transportation Criteria Manual, the minimum right-of-way width for a secondary arterial is 110 feet. Given the existing distance between the centerline and the subject property is greater than 55 feet, the developer would not be responsible for dedicating additional right-of-way.

- f. Public facilities and services are available to adequately serve the subject property while maintaining adequate level of service to existing development.*

#### **Schools**

Since the applicant is proposing a commercial use, the request would not add students to schools within the attendance boundary. For residential proposals, staff would coordinate with DISD regarding capacity and level of service.

**Water and Wastewater**

Public water and wastewater services are available to the site.

**Nearest Fire Station**

The subject property is approximately 1.3 miles from Fire Station #5 (2230 W Windsor Drive), within the eight minute or less response time boundary.

- g. *There was an error in establishing the current zoning district.*  
There was not an error in the assignment of the current zoning district.