

Planning Staff Analysis

PD22-0010f/Denton West Joint Venture

City Council District #4

REQUEST:

Rezone approximately 12.770 acres from a Planned Development (PD) District with a Mixed-Use Neighborhood (MN) base zoning district to a Planned Development (PD) District with Suburban Corridor (SC) (PD-SC) base zoning district to facilitate commercial development.

The subject property is currently zoned PD-MN which generally prohibits the development of multifamily dwellings and allows for the development of Commercial Uses per the Neighborhood Residential Mixed Use (NRMU) Zoning District of the 2002 Denton Development Code. Per the 2019 update of the Denton Development Code, the NRMU zoning district transitioned to the Mixed-Use Neighborhood (MN) District, but per DDC 1.7.8 the overlay conditions specified in Ordinance 2014-075 still apply to the site. The applicant is requesting a new Overlay PD district to ensure the proposed rezoning and subsequent development are compatible with both the surrounding neighborhood and the Community Mixed Use context of this area. If approved, the proposed PD would also bring development of the site into compliance with the City's current DDC standards.

SITE DATA:

The 12.77-acre subject site consists of an approximately 3.16-acre tract (Tract 1) located at the northwest corner Teasley Lane and Hunters Creek Road and an approximately 9.61-acre tract (Tract 2) located at the southwest corner. While both tracts are undeveloped and primarily adjoin public rights-of-way, Tract 1 abuts a single-family residential subdivision to the west and Tract 2 abuts a multifamily residential development to the west. Both tracts host existing tree canopy along the property lines shared with these existing residential developments.

The general area's street network includes a variety of roadway types:

- **Teasley Lane (FM 2181):** Teasley Lane is a north-south road owned and maintained by TxDOT. Per the 2022 Mobility Plan, Teasley Lane is an existing Primary Arterial roadway. Primary Arterials require 135 feet of right-of-way dedication and are constructed with six travel lanes. Currently, Teasley Lane is constructed with six travel lanes and a five-foot-wide sidewalk along both the east and west sides of the roadway. Tract 1 and Tract 2 have approximately 230 feet and 720 feet of frontage along Teasley Lane respectively.
- **Hunters Creek Road:** Hunters Creek Road is an east-west Residential Street serving Phase 3 of the Teasley Trails Subdivision. Per the 2022 Mobility Plan, Collectors require at least 65 feet of right-of-way. Hunters Creek is a 65-foot-wide right-of-way constructed with 2 travel lanes and a raised median. Tract 1 and Tract 2 each have approximately 375 feet of frontage along Hunters Creek Road.
- **Ryan Road:** Ryan Road is located just south of the subject area. Per the 2022 Mobility Plan, Ryan Road is an existing Secondary Arterial roadway. Secondary Arterials require 110 feet of right-of-way dedication and are constructed with four travel lanes. Currently, Ryan Road is a variable-width right-of-way constructed with two travel lanes, separate directional lane at the Teasley Lane intersection, and noncontinuous 5-foot-wide sidewalks along both the north and south side of the roadway. The 2019 Bond Program provided funding for the widening of approximately two miles of Ryan Road, from Teasley Lane to Country Club Road, from a two-lane road to a three-lane road. The new configuration includes a center turn lane so motorists may move out of travel lanes to decelerate or stop in anticipation of left-hand turns. While Tract 1 does not abut this roadway, Tract 2 has approximately 560 feet of frontage along Ryan Road.

SURROUNDING ZONING AND USES:

Northwest: Zoning: Planned Development – Residential 6 (PD-R6) Use: Single-family residential	North: Zoning: Planned Development – Residential 6 (PD-R6) Use: Single-family residential	Northeast: Teasley Lane Zoning: Residential 4 (R4) Use: Single-family residential
West: Zoning: Planned Development – Residential 6 (PD-R6) Use: Single-family residential	TRACT 1	East: Teasley Lane Zoning: Residential 4 (R4) Use: Single-family residential
Southwest: Hunters Creek Road Zoning: Planned Development – Mixed-Use Neighborhood (PD-MN) Use: Multifamily residential	South: Hunters Creek Road Zoning: Planned Development – Mixed-Use Neighborhood (PD-MN) Use: Undeveloped	Southeast: Teasley Lane Zoning: Residential 4 (R4) Use: Single-family residential

Northwest: Hunters Creek Road Zoning: Planned Development – Residential 6 (PD-R6) Use: Single-family residential	North: Hunters Creek Road Zoning: Planned Development – Mixed-Use Neighborhood (PD-MN) Use: Undeveloped	Northeast: Teasley Lane Zoning: Teasley Lane Zoning: Residential 4 (R4) Use: Single-family residential
West: Zoning: Planned Development – Mixed-Use Neighborhood (PD-MN) Use: Multifamily residential	TRACT 2	East: Teasley Lane Zoning: Residential 4 & Public Facility Use: Single-family residential & Nelson Elementary School
Southwest: Ryan Road Zoning: Residential 2 (R2) Use: Outdoor storage facility	South: Ryan Road Zoning: Residential 4 (R4) Use: Single-family residential	Southeast: Zoning: Suburban Corridor (SC) & Mixed-Use Neighborhood (MN) Use: Automotive fuel sales & Retail

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 related to this proposed multi-lot commercial development. However, as was discussed above and in the Background section of Exhibit 1, the property has been zoned with overlay restrictions that limit the site to commercial development since 2014. The requested PD-SC district would therefore not present a significant change in land use entitlements, but it would ensure that future development complies with the current DDC standards and would restrict the permitted uses to those less-intensive commercial uses that are found at other similar intersections along the southern Teasley Lane corridor.

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

The decision-making authority:

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

The requested PD with a SC base zoning district (PD-SC) conforms to the Denton 2040 Future Land Use Map (see inset map) and goals related to context-sensitivity. Given the 2022 Mobility Plan roadway classifications for Teasley Lane and Ryan Road, the most appropriate land use for this corridor will remain commercial. Therefore, the applicant has applied for a rezoning that is consistent with the goals of the Denton 2040 Comprehensive Plan and meets the other criteria for approval.



- 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.*

The Future Land Use Map (FLUM) designation for the subject property is Community Mixed Use, and it is located in a transition area with surrounding areas designated Low Residential. Community Mixed Use applies to areas along key corridors of Denton. These areas serve as a transition between established single-family neighborhoods and commercial areas that can accommodate greater density.

Low Residential designation applies to the City's predominately single-family neighborhoods which may include land uses that support residential neighborhoods with appropriately scaled buildings that have an intensity that complements the surrounding neighborhood and environment. The FLUM is arranged to provide for a compatible mix of uses and appropriate transitions from areas of high intensity to areas of lower intensity. The Low Residential areas are the predominant land use pattern located west of the subject site (outlined). There are also existing suburban scale commercial developments along this corridor of Teasley Lane, consistent with the Community Mixed-Use FLUM designation.

The PD request is consistent with the intent of the FLUM in both use and development scale. The proposal would facilitate the development of additional commercial options in a growing suburban area, consistent with the FLUM and existing commercial development along Teasley Lane. The existing PD-MN zoning and 2014 overlay conditions recognize that commercial uses are appropriate for the subject site yet restricts certain commercial uses that might be best suited for this context. With this request, the applicant is seeking to allow some of the more appropriate, less-intensive SC permitted Institutional and Commercial land uses, prohibit the more intense Commercial and Industrial land uses, and apply additional development standards to help mitigate any impacts on the surrounding residential development.

Focus Area Concept

The subject property is located within an area identified as a Center Focus Area on the Focus Area Concept Map (Figure 4.1). Per the Denton 2040 Comprehensive Plan, "The goal for identified Focus Areas is to create Area Plans that examine the areas to develop context-specific guidelines and land uses that go beyond the general recommendations of the Urban Design Principles."

Preferred Land Preservation Plan

The site does not contain any Environmentally Sensitive Areas. Given the existing natural topography and existing tree canopy, however, the proposed Development Standards incentivize the preservation of more natural vegetation than what would be required under the current zoning district.

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 to Planned Development with an SC base zoning district (PD-SC). The proposed Development Regulations provided in Exhibit 6 indicate an intent to develop in accordance with the 2019 DDC and impose additional use restrictions as well as additional development standards outlined in the document, which are further summarized in the table 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 land use conformance with coexisting plans and goals. Subsequent development will be subject to the appropriate applications, development standards, and review processes of the DDC.

5. *Compliance with Other Applicable Regulations*

The PD regulations document indicates that development on the subject site shall comply with all provisions of the 2019 DDC and imposes additional restrictions and standards. Further, the development will be required to comply with the City's criteria manuals for roadway, utility, and drainage improvements, as well as TxDOT requirements.

6. *Consistent with Interlocal and Development Agreements*

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

7. *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.

8. *Minimizes Adverse Impacts on Surrounding Property*

The permitted commercial uses are consistent with the area's existing uses and would not introduce new or incompatible activities to the area. Commercial uses have been permitted on the subject property since the current overlay conditions were imposed in 2014. Additionally, the PD regulations incentivize the preservation of the existing tree canopy by increasing the total required width of landscape buffers adjacent to residential developments and allowing for existing tree canopy coverage to count towards the planting elements needed within that buffer.

9. *Minimizes Adverse Fiscal Impacts*

A full fiscal impact analysis was not completed for the subject site. The developer would be required to provide the infrastructure necessary to support the development and pay impact fees in accordance with the City's fee schedule.

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

This proposed rezoning will not negatively affect utilities, services, or other improvements, as the subject property will be served by existing utilities and infrastructure.

11. *Provides Adequate Road Systems*

The subject site includes two tracts of land divided by Hunters Creek Road, an east-west Collector street, and is situated between single-family and multifamily developments to the west, and Teasley Lane, a 6-lane divided Primary Arterial to the east. Ryan Road, a 2-lane Secondary Arterial, is located to the south. There is a left-hand turn lane on Teasley Lane that allows for vehicular travel onto Hunters Creek Road, providing east-west connection between the residential neighborhoods to the west and Teasley Lane. The proposed development is not anticipated to negatively impact surrounding properties as the primary access will be from Teasley Lane. Based on the preliminary trip generation counts, Staff anticipates a Traffic Impact Analysis (TIA) will be required for the development of this site and any associated improvements will need to be accounted for during subsequent development plans.

12. *Provides Adequate Public Services and Facilities*

Since the area is already appropriately zoned to support commercial development, the proposed rezoning is not anticipated to negatively impact public services and facilities. New development applications must provide proof that existing and/or planned facilities have adequate public service capacity.

13. *Rational Phasing Plan*

The proposed rezoning does not have a phasing plan.

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

1. *Complies with the goals of the Comprehensive Plan;*

As described in Consideration A above, the proposed rezoning meets this criterion.

2. *Complies with the goals of relevant Area Plans;*

As described in Consideration A above, there are no area plans applicable to the subject property.

3. *Complies with this DDC, except where modifications are expressly authorized through the PD Regulations Document and PD Development Plan;*

As detailed in Exhibit 6 and described in Consideration A above, the proposed rezoning meets this criterion.

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

In this context, the requested SC base zoning district is more appropriate than the existing PD-MN district because the change would bring development of the site into alignment with the City's current use and design standards. Via the imposition of additional requirements and restrictions, the proposed PD-SC district provides for a greater level of building and site design quality than what would be applied if the request was a straight rezoning to the SC district.

5. *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 area;*

No residential uses are proposed to be permitted as part of this PD. As detailed in Exhibit 6 and described in Consideration A above, the proposed PD-SC district permits those commercial uses most appropriate for this context.

6. *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; and*

As detailed in Exhibit 6 and described in Consideration A above, the proposed PD-SC district permits those commercial uses most appropriate for this context. Commercial uses have been intended for the subject property since the current zoning overlay conditions went into effect in 2014, so there is not a significant change in uses being proposed.

7. *The provisions for 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.*

Subsequent developments shall ensure adequate public facilities are available to serve the subject site. The nonresidential development is not anticipated to add to the school population, and Fire Station #6 is within a 3-minute drive to the subject site.

8. *The condition and/or restrictions imposed by the PD are necessary and sufficient to address any significantly adverse impacts to surrounding properties or the neighborhood.*

As detailed in Exhibit 6 and described in Consideration A above, the proposed Development Standards incentivize the preservation of the existing tree canopy and otherwise impose additional buffer requirements where adjacent to residential developments