



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
[www.cityofdenton.com](http://www.cityofdenton.com)

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Cassey Ogden

**DATE:** April 16, 2024

### **SUBJECT**

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Public Facilities (PF) district to Residential 7 (R7) district on approximately 1.143 acres of land generally located at the southeast intersection of Bonnie Brae Road and Riney Road in the City of Denton, Denton County; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [7-0] to recommend approval of the request. Motion for approval was made by Commissioner Smith and seconded by Commissioner Thaggard. (Z23-0008b, Bonnie Brae Rezoning PF to R7, Angie Manglaris).  
<https://dentontx.new.swagit.com/videos/300405?ts=2008>

### **BACKGROUND**

The owner and applicant, Philip Baker, of Rayzor Investments LTD. has applied to rezone approximately 1.143 acres from Public Facilities (PF) Zoning District to Residential-7 (R7) Zoning District. The site is currently vacant; however, based on historic aerials, the subject property was previously developed with a single-family residence.

The subject property was annexed into the City in 1965 along with several other properties in this area of the City. Following annexation, the zoning of the property transitioned to Neighborhood Residential Mixed-Use-12 with the adoption of the 2002 Development Code. In 2016, the City of Denton acquired the subject property for the relocation and reconstruction of electric lines along Bonnie Brae Street. In 2017, the City entered into an agreement with Rayzor Investments LTD. to sell the subject property in exchange for additional easement acquisition on property owned by Rayzor Investments LTD. immediately to east of the subject property. The agreement allowed the City and Rayzor LTD. to extend the closing date by written agreement, and in January 2020 ownership of the property transitioned to Rayzor LTD. Since the City still owned the property in 2019, the zoning of the property transitioned to Public Facilities (PF) with the adoption of the 2019 Denton Development Code.

According to the applicant, the intent of this zoning change request is to align the zoning of subject property with the existing Residential 7 (R7) zoning immediately the south of the site, and under the same ownership, totaling approximately 13.232 acres of land located at the southeast intersection of Bonnie Brae Street and Riney Road.

The surrounding properties to the east, southeast, and south of the subject property are zoned Residential 7 and are currently undeveloped. Riney Road and a Denton Municipal Electric substation (zoned Public Facilities) are situated to the north of the subject property. East of the subject property is Bonnie Brae Street

and existing Neighborhood Mixed-Use Zoning, which is currently vacant; however, civil engineering plans and building permits are under review for a multifamily development.

A full Staff Analysis is provided in Exhibit 2.

### **PLANNING AND ZONING COMMISSION**

On March 20, 2024, the Planning and Zoning Commission held a public hearing and recommended approval of the zoning change [7-0]. During the Work Session, the Commission inquired as to when the property changed ownership from the City of Denton to Rayzor Investments, LTD. The City entered into an agreement with Rayzor Investments LTD. in 2017 to sell the subject property in exchange for additional easement acquisition on property owned by Rayzor Investments LTD. The agreement allowed the City and Rayzor LTD. to extend the closing date by written agreement, and in January 2020 ownership of the property transitioned to Rayzor LTD. The applicant was available to answer questions during the public hearing; however, no members of the public spoke.

### **OPTIONS**

1. Approve
2. Denty
3. Continue the Item

### **RECOMMENDATION**

Staff recommends approval of the rezoning of approximately 1.143 acres from Public Facilities (PF) zoning district to a Residential 7 (R7) zoning district as it complies with the criteria in Section 2.4.5.E of the Denton Development Code for approval of all applications, and Section 2.7.2.D of the DDC for approval of a Zoning Map Amendment (Rezoning).

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

<b>Date</b>	<b>Council, Board, Commission</b>	<b>Request</b>	<b>Action</b>
November 9, 1965	City Council	Annexation into City Limits	Approved
2002	City Council	Citywide Rezoning to Neighborhood Residential Mixed-Use 12 (NRMU-12)	Approved
2016	City Council	Resolution for land purchase for relocation of electric lines	Approved
2017	City Council	Ordinance approving property exchange for T-line easement	Approved
October 2019	City Council	Citywide Rezoning to Public Facilities (PF)	Approved
March 20, 2024	Planning and Zoning Commission	Rezoning request from Public Facilities to Residential 7	Recommended Approval

**PUBLIC OUTREACH:**

The following public outreach efforts were done to meet legal notice requirements and to seek feedback from adjacent property owners and residents:

- On February 28, 2024 a total of eighteen (18) notices were mailed out to property owners within 200 feet of the subject property, and twenty-two (22) postcards were mailed out to current residents within 500 feet of the subject property. As of the writing of this report, staff has received one (1) response in favor of the request.
- A notice was published on the City's website on February 29, 2024 and March 29, 2024.
- A notice was published in the Denton Record Chronicle on March 3, 2024 and March 30, 2024.
- Two signs were posted on the subject property on December 12, 2023
- The applicant did not conduct a neighborhood meeting but did reach out to neighboring property owners individually.

**DEVELOPER ENGAGEMENT DISCLOSURES**

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

**EXHIBITS**

Exhibit 1 - Agenda Information Sheet  
Exhibit 2 - Staff Analysis  
Exhibit 3 - Applicant's Project Narrative  
Exhibit 4 - Site Location Map  
Exhibit 5 - Future Land Use Map  
Exhibit 6 - Existing Zoning Map  
Exhibit 7 - Proposed Zoning Map  
Exhibit 8 - Table of Allowed Uses  
Exhibit 9 - Notification Map  
Exhibit 10 - Draft Ordinance  
Exhibit 11 - Staff Presentation

Respectfully submitted:  
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Planning Director

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