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December 22, 2016

Munal Mauladad, Deputy Director
City of Denton
Department of Development Services
215 W. Hickory Street
Denton, Texas 76201

Re: Code Amendment request to allow Self-Service Storage in a CM-G District by Specific Use Permit

Dear Ms. Mauladad,

We are requesting an amendment to the City of Denton's zoning ordinance to allow a self-service storage use in a CM-G zoning district by Specific Use Permit. At the direction of Michael Bell, we have assembled documentation on five other cities in order to illustrate their methods of allowing self-storage uses. Most of the jurisdictions allow a self-service storage use to be located in commercial districts by specific use permit and in industrial districts by right. The highlights from those city codes are attached to this application for review with our code amendment request.

Currently, a self-service storage use is only allowed in the city of Denton in the EC-C Employment Center Commercial District, EC-I Employment Center Industrial District, IC-E Industrial Center Employment District and in the IC-G Industrial Center General District. The use is allowed in these districts by right. The use is not allowed in any other district within the City.

The City of Denton Zoning Ordinance states that "the purpose of the Community Mixed Use Centers is to provide the necessary shopping, services, recreation, employment and institutional facilities that are required and supported by the surrounding community." Many urban dwellers have more storage needs than their residential use may provide. Having a convenient off-site storage facility in close proximity provides a beneficial service to that community. If designed appropriately, self-service storage uses will have a positive effect on the surrounding neighborhood and can exist harmoniously with residential, retail and commercial uses alike.

Many times, self-service storage uses are allowed in industrial categories usually reserved for manufacturing or warehousing; but the operational characteristics of the industry differ significantly from those categories. Self-service storage facilities have fewer employees, less traffic, less noise and much less impact.

We are requesting that self-service storage uses be allowed by Specific Use Permit in the CM-G zoning district and that they be required to comply with the requirements of the CM-G zoning district stated in Chapter 35 of the Land Development Code and the

Site Design Standards for non-residential uses in Subchapter 13 with an additional limitation for the exterior materials requirement.

The additional limitation proposed is that all sides of a self-service storage facility shall be constructed of 100 percent masonry, stone, architectural concrete block with integrated color (split-face CMU), stucco, concrete tilt-wall (colored or stamped), exterior insulation and finish systems (EIFS – above 14 feet from grade only), and cementitious fiberboard with integrated color (in the form of lap siding or board and batten). The limitation on exterior materials is exclusive of fenestrations such as doors, windows, glass and entryway treatments, and atriums of glass and metal construction, provided that the exterior surface construction of such entryway treatments and atriums are in excess of 70 percent glass or windows.

The request that self-service storage uses be allowed by specific use permit in the CM-G district ensures that the city of Denton City Council has the opportunity to evaluate the use relative to the surrounding community, hear the input of property owners in and out of the notification area for the request, and to approve, conditionally approve, or deny the request depending on its findings.

We look forward to moving this request through the review and public hearing processes as quickly as possible. Please let me know if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael R. Coker". The signature is fluid and cursive, with the first name "Michael" being more prominent than the last name "Coker".

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Frisco

Mini-Warehouse/Self Storage

Definition: A building(s) containing separate, individual self-storage units for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within any individual storage unit.

Zoning Districts

Allowed by SUP in C-1 Commercial 1 District and C-2 Commercial 2 District

Allowed by right in I Industrial District

Required Parking

Required Parking: Six (6) parking spaces per complex located outside of the security gates and accessible to the public.

- (a) Interior parking spaces for loading and unloading may be included as parallel spaces between the fire lane and storage buildings.

Exterior Materials - Masonry Construction

- (A) Primary Materials: Unless otherwise provided in this ordinance, exterior construction materials are fired brick, natural and manufactured stone, granite, marble, architectural concrete block, and 3-step stucco process for all structures.
- (B) Other Materials: Other exterior construction materials for nonresidential structures are tilt wall concrete panels and sealed and painted block.

SUP Procedures/Regulations

A) Compatibility Considerations

The City Council and the Planning & Zoning Commission in considering any request for Specific Use Permit shall only approve such request after they have determined that the use or uses allowed will not be detrimental to the adjacent properties or to the City as a whole. The Director, City Council and the Planning & Zoning Commission may require from the applicant any plans, information, operational data, and expert evaluation concerning the location, function, and characteristics of the proposed use or buildings. The City Council when establishing a Specific Use Permit, and the Planning & Zoning Commission when making a recommendation concerning a Specific Use Permit, shall establish conditions and regulations, in addition to those of the base zoning district, necessary to protect the health, safety, morals, and general welfare of the neighborhood and/or the City. In addition, the use shall be in general conformance with the Comprehensive Plan and general objectives of the City. These conditions may include but are not limited to:

- (1) Paving of streets, alleys, and sidewalks,
- (2) Means of ingress and egress to public streets,
- (3) Provisions for drainage,
- (4) Adequate off-street parking,
- (5) Protective screening, landscaping, and open space,
- (6) Area or security lighting,
- (7) The locations and heights of structures,
- (8) Architectural compatibility of buildings,
- (9) Intensity of the use, and
- (10) Adequate traffic circulation required to contain all stacking activity on the site.

(B) Imposed Conditions for Approval

- (1) In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Chief Building Official for use of the building on such property pursuant to such Specific Use Permit and such conditions precedent to the granting of the certificate of occupancy.
- (2) Any special conditions shall be set forth in writing in the ordinance granting the SUP.

Little Elm

Mini-warehouse/self storage. A building containing separate, individual self-storage units for rent or lease. The conduct of sales, business or any activity other than storage shall be prohibited within any individual storage unit.

Zoning Districts

Allowed by SUP in HC Heavy Commercial, LI Light Industrial, HI Heavy Industrial

Required Parking

Required Parking: one space for each 5,000 square feet of total floor area.

Exterior materials.

(1) Category A materials are the primary products which the town prefers commercial buildings to be predominantly constructed. Unless otherwise provided for in this chapter, acceptable Category A masonry finishing materials are brick and natural and manufactured stone.

(2) Category B materials are the secondary products of which the town recognizes as masonry materials acceptable for commercial use, but also as products that should not be the predominant material for a building. Unless otherwise provided for in this chapter, acceptable Category B masonry finishing materials are stucco, architectural concrete block with integrated color (split-face CMU), concrete tilt wall (colored or stamped), exterior insulation and finish systems (EIFS—Above 14 feet from grade only), and cementitious fiberboard with integrated color (in the form of lap siding or board and batten).

(3) Category C materials are accent products acceptable in limited application for architectural features. Unless otherwise provided for in this chapter, acceptable Category C materials are metal, tile and wood.

(4) Windows and glazing shall be limited to a minimum of 30 percent and maximum of 70 percent of each building elevation facing a street, major access lane, or side yard greater than ten feet. This does not apply to residential, big boxes or industrial buildings. Faux windows are allowed for side yards.

(5) For buildings with a visible hip, gable or mansard roof, allowed materials include metal (standing seam), slate or tile (clay or cement, barrel or Roman-shaped).

(6) Prohibited exterior surface materials include cinder block, vinyl, plastic and aggregate pea-gravel finished surfaces.

General design standards.

a. All buildings within a common development, as shown on a development plan, concept plan, or preliminary site plan, shall have similar architectural styles, materials, colors and detailing.

b. All structures shall be architecturally finished on all four sides with similar styles, materials, colors and detailing.

c. Facades shall generally be built parallel to the street frontage, except at street intersections, where a facade containing a primary building entrance should be curved or angled toward an intersection.

d. All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle and top, separated by horizontal elements.

e. All buildings shall be constructed of 100 percent masonry finishing material, as outlined in Table B.

f. All streetscape elements and site amenities, such as bike racks, trash receptacles, lampposts and tree grates shall be metal, rust and flake/chip-resistant, and generally be black "storm cloud" in color. Bollards can be concrete or cast metal and shall be of decorative design.

(3) Primary facade design standards. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:

a. Walls, excluding windows, doors and other openings, shall be constructed of a minimum 80 percent Group A materials and a maximum of 20 percent Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features.

b. A big box may use split-face CMU (architectural block) for up to 20 percent of the primary facade, in addition to the 20 percent of Group B materials.

c. All exterior walls of buildings less than 15,000 square feet are considered primary facades, regardless of orientation.

(4) Secondary facade design standards. The following shall apply to all exterior walls of buildings 15,000 square feet or larger which are not clearly visible from a public street or along an active storefront, or are constructed on a property line as one of a series of in-line buildings where the wall will become part of a common wall:

a. Walls, excluding windows, doors and other openings, shall be constructed of a minimum 20 percent Group A materials and a maximum of 80 percent Group B materials. However, the color of the walls shall match the primary facades.

b. Secondary facades which are adjacent to the primary facade should continue the primary facade treatment by wrapping the corner. This may be achieved with elements such as cornices, bases and vertical elements. In all cases, however, wall surface materials shall wrap the corner.

TABLE B		
Facades		Percentage Breakdown
		Definition
Primary	80% Group A 20% Group B	Exterior walls of buildings which are clearly visible from a public street or along an active storefront
Secondary	20% Group A 80% Group B	Exterior walls of buildings 15,000 square feet or larger which are NOT clearly visible from a public street or along an active storefront

Sec. 106-36. - Specific use permits.

(a) The town council, after public hearing and proper notice to all parties affected (including other landowners within 200 feet of the area in question) and after recommendations by the planning and zoning commission may authorize the issuance of specific use permits for the uses indicated by "S" in [section 106-28](#).

(b) The planning and zoning commission in considering and determining its recommendations to the town council on any request for a specific use permit may require from the applicant plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building or use proposed. The town council may, in the interest of the public welfare and to assure compliance with this chapter, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as specific use permits, the town council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, odor, gas, explosion, glare, offensive view or other undesirable or hazardous conditions.

(c) All specific use permits approved in accordance with the provisions of this chapter in its original form or as hereafter amended, shall be referenced on the zoning map.

Flower Mound

Miniwarehouse means an enclosed storage facility of a commercial nature containing independent, fully enclosed bays that are leased to persons exclusively for dead storage of their household goods or personal property.

Zoning Districts

Allowed by SUP in C-1 Commercial District -1, C-2 Commercial District-2, I-1 Industrial District-1
Allowed by right in I-2 Industrial District-2

Required Parking

Required Parking: one space per 75 storage bays with a minimum of 3 spaces

Sec. 98-1164. - Exterior wall construction in C-1, C-2, I-1 and I-2 districts.

Exterior wall construction in C-1 commercial district-1, C-2 commercial district-2, I-1 industrial district-1 and I-2 industrial district-2 zoning districts shall consist of 100 percent masonry construction on the front of the building, exclusive of doors, windows, glass and entryway treatments, and atriums of glass and metal construction, provided that the exterior surface construction of such entryway treatments and atriums are in excess of 70 percent glass or windows, and all remaining sides or portions of the building shall consist of masonry, wood or metal construction in accordance with the town's building and fire codes.

Specific Use Permits

(e) Imposition of development standards and safeguards. The town council may, in the interest of the public welfare and to ensure compliance with this section, establish conditions of operation, location, arrangement and construction of any *use* for which a permit is authorized. In authorizing the location of any *use* listed as requiring a specific *use* permit, the town council may impose such development standards and safeguards as the conditions and location indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions.

Lewisville

Mini-storage warehouse or self-service storage facility shall mean small individual storage units for rent or lease, restricted solely to the storage of household and personal property (no commercial storage).

Use regulation: The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited.

Zoning Districts

Allowed by SUP in LI Light Industrial District and HI Heavy Industrial District

Required Parking

- a. Non-climate controlled: Ten-foot parallel loading or unloading lanes shall be provided around all buildings. The loading or unloading lanes shall be in addition to any required fire lanes.
- b. Climate controlled: One parking space for each 1,000 square feet of storage area

Exterior Finish Requirements

Non-residential. Non-residential buildings shall meet the coverage requirements as specified in this section. Masonry gateway standards shall take precedence over zoning district masonry standards. Allowable non-residential buildings constructed in a residentially zoned district, shall meet the coverage requirements specified for residential buildings.

- (1) Brick veneer gateways. The aggregate total of all exterior wall elevations (excluding doors, windows and glass) of all buildings which are on a lot that is within 200 feet or served by a driveway or mutual access easement that connects to SH 121, SH 121 Business, FM 407, FM3040/Hebron Parkway, FM 544, FM 1171, IH-35E, Valley Ridge Boulevard, MacArthur Boulevard and Denton Tap Road shall consist of not less than 80 percent brick veneer or may utilize the following exceptions for tilt wall and/or pre-cast concrete construction:

Size*	Minimum Requirements
0—50,000 sq. ft.	80 percent brick veneer
50,001—100,000 sq. ft.	50 percent brick veneer (front only) Panel requirement Color requirement Require parapets 15-foot landscape requirement with two trees/500 sq. ft.
100,001 sq. ft. and greater	10 percent brick veneer (based upon the front elevation and can be located anywhere on the building) All other features listed above

* The aggregate total square footage of individual buildings will count toward the tilt-wall or pre-cast construction options listed above if they are included in the same phase/lot on an engineering site plan. As an addition to the chart above, the following requirements must be met when concrete tilt wall or pre-cast construction types are used in a Brick Veneer Gateway. These include:

- a. Utilize the percent of brick veneer specified in the chart. Calculations will be considered minus the doors and windows.
- b. Each building elevation shall provide architectural features including reveals, articulations, chamfered edges, etc. so that areas bordered by said features do not exceed 100 square feet in size.
- c. A minimum of two colors must be used on each elevation. Eighty percent of each elevation must utilize natural and/or earth tone colors. In addition, each elevation may have 20 percent of another type of color if opted.
- d. A 15-foot wide private landscape strip shall be provided adjacent to all public and private streets. Within the landscape strip, two trees (2.5-caliper inch minimum) shall be provided for every 500 square feet, or any portion thereof, of landscape strip. The required trees shall be planted along the strip in 500 square foot increments as to form a tree-screening barrier.

e. Parapets shall be provided on each elevation as to provide screening for roof mounted fixtures. Parapet height shall be designed to screen roof-mounted fixtures from a viewpoint measured at five feet above grade from street views.

(2) Zoning district. The aggregate total of all exterior wall elevations (excluding doors, windows and glass) of all buildings which are in the following zoning districts; MD, OD, LC, GB, GB2, WH, PK, LI, SU and PU, shall consist of not less than 80 percent masonry veneer.

(3) Commercial building additions. Additions equal to less than 35 percent of the area of the existing structure must match the exterior finish material ratios of the existing structure. Additions equal to or greater than 35 percent of the existing structure must be 80 percent brick veneer on gateways and 80 percent masonry veneer exterior materials elsewhere. All additions greater than 50 percent of the area of the existing structure will require the entire structure to be upgraded to 80 percent brick veneer on gateways and 80 percent masonry veneer exterior finish materials elsewhere.

Specific Use Criteria

Compatibility criteria for approval. The planning and zoning commission shall not recommend approval of, and the city council shall not grant an SUP for a *use* except upon a finding that the *use* will:

(1) Complement or be compatible with the surrounding uses and community facilities and any adopted comprehensive plans or small area plans;

(2) Contribute to, enhance or promote the welfare of the area of request and adjacent properties;

(3) Not be detrimental to the public health, safety or general welfare; and

(4) Conform in all other respects to all zoning regulations and standards.

(d) SUP conditions. The planning and zoning commission may recommend and the city council may adopt reasonable conditions upon the granting of an SUP consistent with the purpose and compatibility criteria stated in this section. The development plan, however, shall always be attached to and made a condition of the SUP. The other documents submitted with the SUP application may also be made conditions of the SUP.

McKinney

Mini-warehouse/public storage means a building containing separate, individual self-storage units of 500 square feet or less for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within any individual storage unit.

Zoning Districts

Allowed by SUP in BG General Business District, C Planned Center District, C2 Local Commercial District, C3 Regional Commercial District

Allowed by Right in BC Commercial Business District, ML Light Manufacturing District, MH Heavy Manufacturing District, LI Light Industrial District, HI Heavy Industrial District

Required Parking

Required Parking: 4 parking spaces. A 12-foot wide loading zone shall be constructed in front of all access areas for each unit and shall not conflict with required fire lanes. A single loading zone may accommodate units on both sides of fire lane.

Exterior Finish Requirements

Mini-warehouse uses. In the C planned center district and BG general business district, mini-warehouse facilities shall be allowed with the approval of a specific use permit. All proposed mini-warehouse developments in the C planned center district and BG general business district, shall satisfy the following development standards:

1. No overhead bay doors or loading areas shall be visible from an adjacent use or public right-of-way;
2. Each building shall be covered with 100 percent masonry materials (brick or stone);
3. Proposed mini-warehouse buildings located directly adjacent to residential uses or zones shall be limited to a single story; and
4. Proposed mini-warehouse buildings located directly adjacent to single family residential uses or zones shall feature a pitched roof (minimum 4:12 slope).

In determining whether a specific use permit should be approved to allow this use in a district where such permit would be required, the following factors shall be considered:

1. The compatibility of the proposed use with the adjacent uses and other uses in the immediate area;
2. The development's proposed location within the city; and
3. Any other factors deemed appropriate.

Other non-residential uses in non-industrial districts.

a. Exterior finishing materials.

1. All elevations for buildings that are three stories or smaller in height shall be finished with at least 50 percent masonry finishing materials. All elevations for buildings that are taller than three stories in height shall feature a minimum of 25 percent masonry finishing materials.
2. Acceptable *exterior* finishing materials for the remainder of the building include:
 - i. Masonry (brick, stone, synthetic stone which includes, but is not limited to limestone, granite, and slate);
 - ii. Stucco;
 - iii. EIFS;
 - iv. Architecturally finished CMU;
 - v. Glass curtain wall systems;
 - vi. Architecturally finished metal panels (does not include corrugated metal);
 - vii. Lap siding (lap siding may include but not be limited to wood or cementitious fiber lap siding but does not include vinyl lap siding or sheet siding fabricated to look like wood lap siding, which sheet siding is prohibited);
 - viii. Architectural wood accents that are not to exceed more than 20 percent of any elevation; and

ix. Another material that is visually and physically indistinguishable from one of the aforementioned *exterior* finishing materials, subject to review and approval by the director of planning.

3. Percentages shall be calculated exclusive of doors, windows and trim.

b. Exterior colors.

1. A minimum of 80 percent of all building elevations shall be finished with complimentary neutral, cream, or deep, rich, non-reflective earthtone colors.

2. No more than 20 percent of any building elevation may be finished with bright, pure tone primary or secondary colors. These colors shall be limited to use on accent features including, but not limited to window and door frames, moldings, cornices, canopies, and awnings.

3. These percentages may be modified by up to 10 percent by the director of planning in special cases if the building's elevations maintain sufficient visual continuity.

Specific Use Permits

In recommending that a specific use permit for the premises under consideration be granted, the planning and zoning commission shall determine that such uses are harmonious with and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and whether the building is compatible for the use under consideration.

(3) Every specific use permit granted under these provisions shall be considered as an amendment to the zoning chapter and shall remain applicable to the property so long as all conditions imposed at the time of granting said permit continue to be met and no substantive change in the use of the property occurs. In the event the building, premises, or land use under the specific use permit is voluntarily vacated for a period in excess of 180 days, the use of the same shall thereafter conform to the regulations of the original zoning district of such property unless a new and separate specific use permit is granted for continuation of the same.

(4) In granting a specific use permit, the city council may impose conditions that shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the chief building official for use of the building on such property pursuant to such specific use permit. Such conditions are not precedent to the granting of a specific use permit, but shall be construed as conditions precedent to the granting of the certificate of occupancy.

(5) No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall be willing to accept and agree to be bound by and comply with the written requirements of the specific use permit, as attached to the site plan drawings and approved by the city council.