



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

CM: Todd Hileman

DATE: June 6, 2017

SUBJECT

Hold a public hearing to consider adoption of an ordinance to rezone approximately 0.4 acre from a Downtown Residential 1 (DR-1) District to a Downtown Residential 2 (DR-2) District. The property is generally located on the west side of Neff Street, 175 feet north of Greenlee Street in the City of Denton, Denton County, Texas; 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 recommended approval (4-2) of the request. (Z16-0030)

BACKGROUND

The applicant is requesting to rezone the subject property from Downtown Residential 1 (DR-1) District to Downtown Residential 2 (DR-2) District. The property was developed with two homes which were razed in 2016. The applicant has indicated that she would like to redevelop the site with a multi-family development, a use not permitted under the DR-1 District, therefore, the request to rezone.

The subject property is situated mid-block on Neff Street within a neighborhood primarily developed with single-family structures built between 1921 and 1966 and duplexes built in the last ten years. All of the properties on Neff Street and nearby neighborhood streets to the east have a zoning designation of DR-1 District, creating a zoning pattern that maintains uniform permitted uses and development scale within the existing neighborhood. Some parcels to the west and south of the subject property are zoned DR-2 and Downtown Commercial General (DC-G) District and developed with multi-family and commercial structures. However, these parcels are located on the fringe of the neighborhood, adjacent to Collector streets which connect to I-35E.

The proposed DR-2 District is inappropriate at this location, as it would interrupt the existing zoning pattern at the block level and break the continuity of the consistent DR-1 District on Neff Street and the surrounding neighborhood. Furthermore, the proposed DR-2 District could result in small scale commercial and multi-family development inconsistent with the surrounding single-family and duplex uses, which would erode the already fragile cohesiveness and character of the neighborhood.

While the zoning request meets the intent of the Neighborhood/University Compatibility Area Designation, zoning must be sensitive to the character of the surrounding established neighborhood. Previous rezoning for small, individual lots has created the surrounding area's fragmented zoning pattern, reducing the ability for cohesive redevelopment and affecting the integrity of the established neighborhoods. Although this area may transition to a denser development pattern in the future, this transition should be achieved after a careful study of the surrounding area to create a comprehensive zoning plan which conforms to the goals of the Denton Plan 2030 and creates compatible land uses and forms. Currently, the existing zoning is consistent

with the adjacent land use pattern of single-family and duplex developments. Therefore, if approved, DR-2 District could potentially introduce a new land use pattern in the middle of a neighborhood, thus compromising the surrounding neighborhood.

To comply with the public hearing notice requirements, 26 notices were sent to property owners within 200 feet of the subject property, 72 courtesy notices were sent to physical addresses within 500 feet of the subject property, a notice was published in the Denton Record Chronicle, and signs were placed on the property. As of this writing, one response in opposition has been received.

OPTIONS

1. Approve as submitted.
2. Approve subject to conditions.
3. Deny.
4. Postpone consideration.
5. Table item.

RECOMMENDATION

The Planning Division recommends denial of the request, as a change in zoning for a small parcel located in the middle of a block would break the continuity of the existing zoning pattern, affecting the integrity of the existing neighborhood, and potentially impeding the redevelopment of this area in a comprehensive manner.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The public hearing for the rezoning request was opened at the March 22, 2017, Planning and Zoning Commission (P&Z) meeting; however, prior to the meeting, the applicant requested a postponement to April 12, 2017.

During discussion at the April 12th P&Z meeting, the Commissioners agreed that the area is transitioning to higher density development, as multifamily is being constructed on the edges of the neighborhood. However, concern was raised that the rezoning request was premature, since the block-level zoning and land use pattern is consistent with DR-1 District. The Director of Development Services, Munal Mauladad, was asked to address the Commission regarding the timing of the proposed rezoning. She remarked that the proposed rezoning is not appropriate at this time; however, a forthcoming small area plan for the neighborhoods surrounding the University of North Texas may indicate the need for a future comprehensive rezoning program for the entire area.

Only one neighbor spoke in opposition to the proposed rezoning, stating that the recent construction of new multi-family development in the area is incompatible with the existing single-family housing and is displacing families in favor of students.

At the closure of the public hearing, the P&Z Commission made a motion to deny the request due potential incompatibilities between the proposed DR-2 District and the adjacent properties. This motion failed and a new motion was made to approve the request. This motion passed 4-2.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and

Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Economic Development

Related Goal: 3.4 Encourage development, redevelopment, recruitment, and retention

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location/Aerial Map
4. Existing Zoning Map
5. Future Land Use Map
6. Permitted Use Comparison
7. Proposed Zoning Map
8. Public Notification Map and Response
9. Presentation
10. Planning and Zoning Commission Meeting Minutes
11. Draft Ordinance

Respectfully submitted:
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Director of Development Services

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