



## Legislation Text

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**File #: Z17-0011a, Version: 1**

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### **Planning Report**

**Z17-0011 / Blue Beacon Truck Wash**

**City Council District 3**

**Planning & Zoning Commission**

**July 12, 2017**

### **REQUEST:**

Hold a public hearing and consider a request by H3H, LLC for an initial zoning of Employment Center Commercial (EC-C) District on approximately 16 acres. The property is generally located on the north side of Barthold Road, approximately 340 feet west of the I-35 Southbound Service Road. (Z17-0011, Blue Beacon Truck Wash, Julie Wyatt)

### **OWNER:**

H3H, LLC

### **APPLICANT:**

Dana Morse with Blue Beacon International

### **BACKGROUND:**

The applicant, Dana Morse with Blue Beacon International, is requesting an initial zoning of Employment Center Commercial (EC-C) District on approximately 16 acres in order to develop a triple-bay truck wash. The proposed development includes two tracts of land, one of which has a zoning designation of EC-C District, and the subject property, which was voluntarily annexed on June 20, 2017.

Upon annexation, the subject property received a temporary zoning designation of RD-5X District in accordance with Section 35.16.8.G of the Denton Development Code (DDC). RD-5X District is not an official zoning district of the City of Denton, but rather a temporary placeholder until an initial official zoning designation is approved for the recently annexed property.

The purpose of the applicant's request is to provide an initial zoning designation of EC-C District to correspond with the adjacent parcel and to facilitate the proposed development.

### **SITE DATA:**

The subject property is an approximately 16-acre tract located on the north side of Barthold Road, 340 feet west of the I-35 Southbound Service Road. Per the City of Denton Mobility Plan, Barthold Road is classified as a Primary Major Arterial and will be relocated to align with US 77/North Elm Street on the east side of I-35. The subject site includes frontage along the new alignment of Barthold Road and is currently developed with a gas pipeline. As a Primary Major Arterial, the purpose of Barthold Road is to serve as a major route into and through the City. Primary Major Arterials require 135 feet of right-of-way and are typically designed to provide three travel lanes in each direction separated by a median.

**USE OF PROPERTY UNDER CURRENT ZONING:**

When annexed on June 20, 2017, the subject property received a temporary zoning designation of RD-5X District. Under RD-5X District, development must comply with the Rural Residential (RD-5) District regulations in Subchapter 5 of the DDC. RD-5 District primarily permits uses rural in nature including agriculture, livestock, large-lot single family, manufactured housing developments, sale of products grown on site, veterinary clinics, kennels, day cares, and elementary schools. Group homes, administrative or research facilities, feed lots, and gas wells require approval of a Specific Use Permit (SUP).

**SURROUNDING ZONING AND LAND USES:**

North: Property to the north is zoned RD-5X District and Regional Center Residential 1 (RCR-1) District and is undeveloped.

East: Property to the east is zoned EC-C District and is undeveloped. Property across I-35 is zoned Regional Center Commercial Neighborhood (RCC-N) District and is undeveloped. Property to the southeast across I-35 is zoned Regional Center Commercial Downtown (RCC-D) District and is developed with a travel center.

South: Property to the south across Barthold Road is zoned as EC-C District and is currently under development with a travel center.

West: Property to the west is located in the extraterritorial jurisdiction (ETJ) and is undeveloped.

**COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:**

The surrounding area is comprised of travel center commercial developments and large undeveloped tracts of land in the ETJ and within Denton's municipal boundary. Access is provided by nearby I-35, US 77/North Elm, and Barthold Road. Nearby areas with an RD-5X District zoning designation will likely require approval of initial zoning prior to development, as it is anticipated that future growth will include commercial and employment uses. The neighboring zoning of RCC-N and EC-C Districts currently permits large-scale commercial and employment uses. As such, EC-C District is appropriate in this location, as it permits a wide variety of employment and commercial uses at a scale suitable along highway corridors. Furthermore, the proposed EC-C District is a logical extension of the existing EC-C District to the south and east, which will result in complementary development in both use and scale. A comparison of the existing and proposed zoning districts is attached for reference.

**COMPREHENSIVE PLAN:**

Per the Denton Plan 2030, the Future Land Use designation of the subject property is Business Innovation. "Business Innovation" is intended for well-planned, larger scale office and employment parks with supporting uses such as retail, hotels, and residential. Primary uses include office, research and development, and light manufacturing. The Denton Plan 2030 states that the mixed-use nature of Business Innovation ensures that employment areas will benefit from the complementary retail and services throughout the day. The Preferred Growth Concept of Denton Plan 2030 also identified the intersection of US 77 and N I-35 as a "Placemaking and Urban Vitality Center" due to its strategic location as the northern gateway into the City of Denton.

The mix of commercial and light industrial uses permitted in the proposed EC-C District meets intent of Business Innovation, as it encourages employment uses with associated commercial development necessary to support the business centers. Furthermore, as a gateway to the City of Denton, commercial uses which serve the traveling population are ideal for this location.

**CONSIDERATIONS:**

1. The applicant is requesting an initial zoning of EC-C District to consolidate the zoning with adjacent tract to develop a triple-bay truck wash.

2. Per Section 35.3.4.B of the DDC, the following criteria for approval shall be considered for a rezoning request:
  - a. *The proposed rezoning conforms to the Future Land Use element of the Denton Plan 2030.*

The goal of Business Innovation is to encourage large-scale employment centers and supporting retail, hotel, and residential uses. EC-C District is consistent with this Future Land Use Designation, as it permits a diverse range of commercial uses while integrating employment uses such as light manufacturing and retail warehouse.
  - b. *The proposed rezoning facilitates the adequate provision of transportation, water, sewers, schools, parks, and other public requirements and public convenience.*

An infrastructure needs assessment, depending on the development, would be conducted at the time of platting and site plan submittal. Compliance with all transportation and infrastructure requirements is required with platting and development of the site.
3. The surrounding land uses are primarily agricultural; however, the Future Land Use designation and recent development activity anticipates growth that will include commercial uses such as retail and travel centers adjacent to the I-35 corridor, transitioning to employment and warehouse uses further east. This development pattern capitalizes on the visibility along the highway for commercial uses and allows employment uses to take advantage of the nearby large, undeveloped tracts of land. The broad array of permitted uses and development scale associated with EC-C District would accommodate both the commercial development appropriate adjacent to I-35 and the employment development expected for the area to the west.
4. The proposed EC-C District is a logical continuation of the EC-C District to the south and east. As the area continues to develop with complementary uses, it is anticipated that additional properties will be rezoned to allow for a balance of travel, commercial and employment uses.

**STAFF RECOMMENDATION:**

Staff recommends approval of the request as it is compatible with the surrounding property and is consistent with the goals and objectives of the Denton Plan 2030.

**OPTIONS:**

1. Recommend approval as submitted.
2. Recommend approval subject to conditions.
3. Recommend denial.
4. Table the item.

**PUBLIC NOTIFICATION:**

To comply with the public hearing notice requirements, 7 notices were sent to property owners within 200 feet of the subject property, 4 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.

**EXHIBITS:**

- Aerial Map
- Existing Zoning Map
- Future Land Use Map
- Proposed Zoning Map
- Permitted Uses Table

- Notification Map

Respectfully submitted:  
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