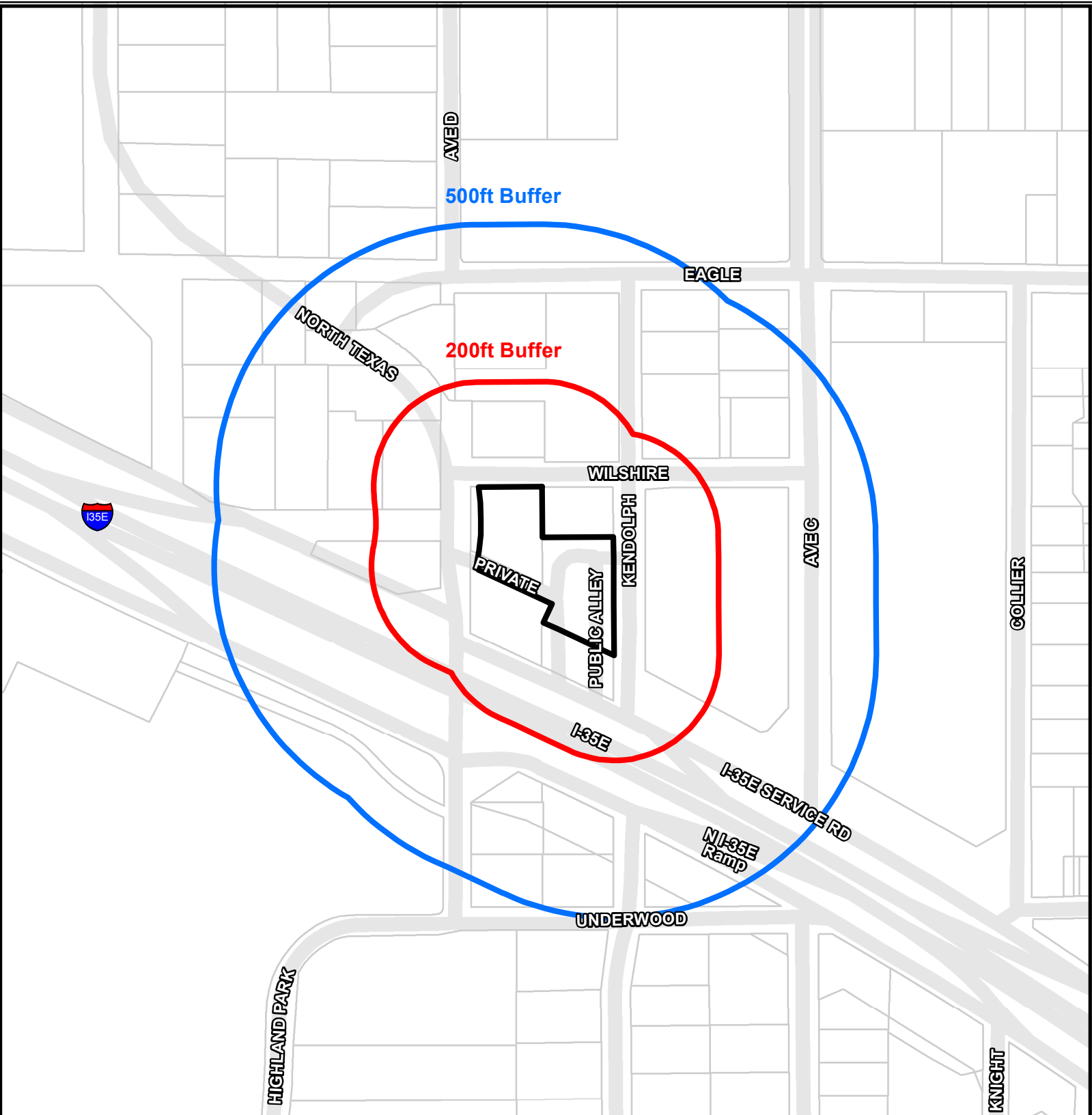


S17-0004
Notification Map



SITE

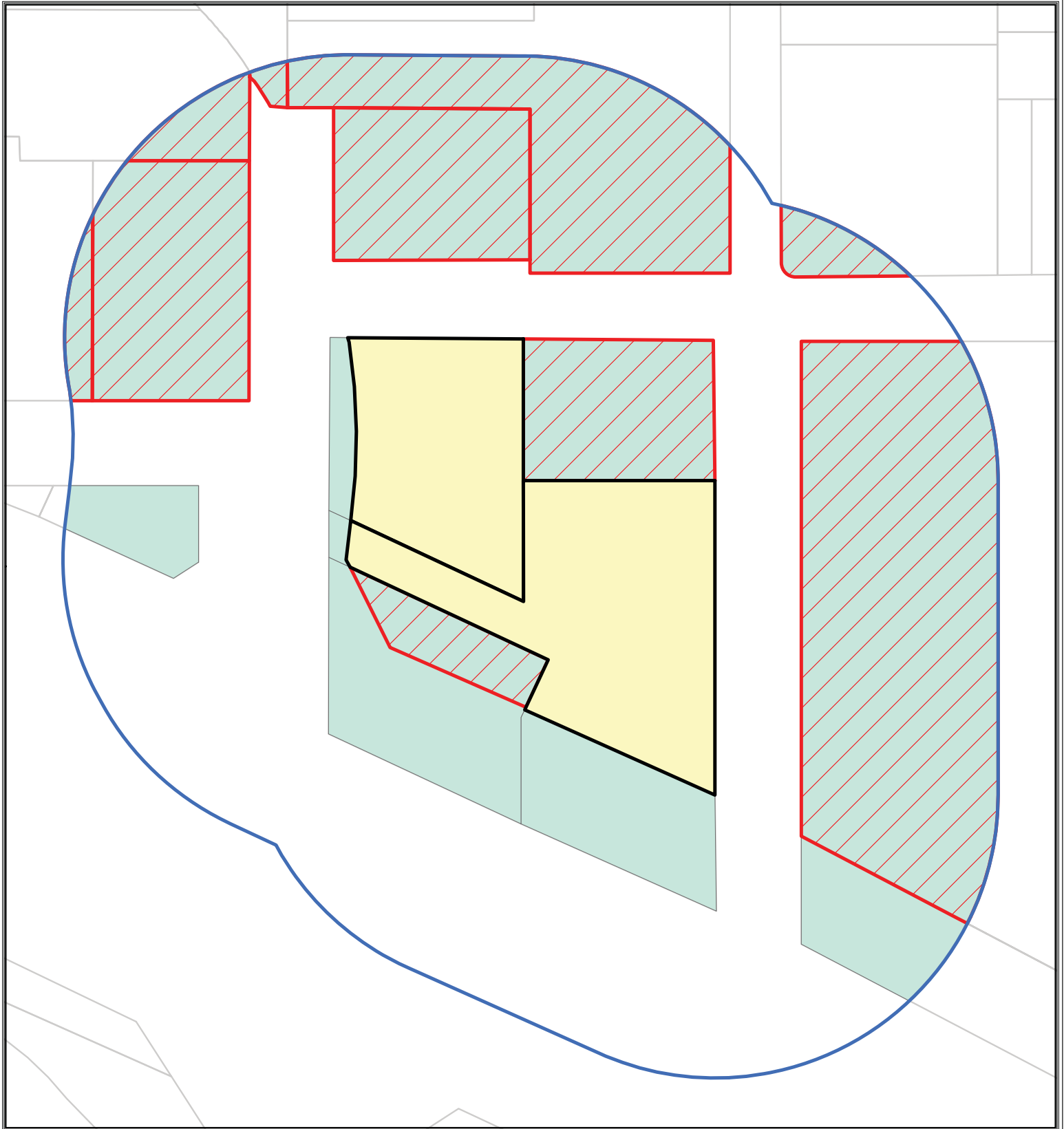
Parcels






Roads

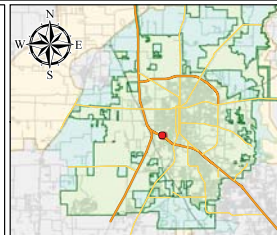
0 75 150 300 Feet

The City of Denton has prepared maps for departmental use. These are not official maps of the City of Denton and should not be used for legal, engineering or surveying purposes but rather for reference purposes. These maps are the property of the City of Denton and have been made available to the public based on the Public Information Act. The City of Denton makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. Utilization of this map indicates understanding and acceptance of this statement.

S17-0004 41.58% Opposed



-  Opposed Parcels Clipped within 200ft (3.15ac)
-  Parcels Clipped within 200ft (4.04ac)
-  ROW (3.55ac)
-  200ft Buffer
-  S17-0004 (1.11ac)





Development Services

215 W. Hickory St., Denton, TX 76201 • (940) 349-8541

Response Form

Project Number S17-0004

McDonald's

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services

Attn: Julie Wyatt, Project Manager

215 W. Hickory St.

Denton, TX 76201

You may also email or fax a copy to julie.wyatt@cityofdenton.com or (940) 349-7707.

Project Number S17-0004

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Signature: James M. Maguire

Printed Name: James M. Maguire, Vice Chancellor Facilities Planning & Construction

Street Address: UNT System 1901 Main Street

City, State and Zip Code: Dallas, TX 75201

Phone Number: 214-752-5978

Email Address: james.maguire@untsystem.edu

Physical Address of Property within 200 Feet: See Attached list of nine affected UNT
properties.

UNT Properties

DCAD ID	SITE ADDRESS
37887	912 AVENUE D TX 76201
36585	I35E TX
204720	911 NORTH TEXAS BLVD 76201-6537
34798	915 NORTH TEXAS BLVD 76201-6537
97401	
153251	1011 NORTH TEXAS BLVD TX 76201-6517
39468	913 KENDOLPH ST TX 76201
37135	1500 I35E TX 76205-5716
204722	911 NORTH TEXAS BLVD TX 76201-6537

DATE: July 12, 2017
TO: City of Denton, Planning & Zoning Commission
RE: Objection to Specific Use Permit Case S17-0004

The University of North Texas and University of North Texas System, as sole owner of all adjacent property, is opposed to a request for a specific use permit for a drive-thru facility at this location.

We have reviewed the criteria for approval for a specific use permit; the proposed project plan does not meet the Criteria A; Criteria B conditions 4 and 7; and Criteria D conditions 1, 2, 3, and 6.

Criteria A requires that the proposed project must be in conformance with all standards within the zoning district in which the use is proposed. As noted in the application materials on Sheet C6.0, 49 parking spaces are required (1 per 100 sq. ft. of leasable area), however only 40 spaces are provided. Failure to meet this zoning requirement means that the proposed project plan cannot be found in compliance with all current standards and therefore cannot be approved [in its current form].

Criteria B identifies several conditions that must be met in order for the Commission to recommend approval. The proposed development does not meet two of these conditions - numbers 4 and 7.

Condition B4 requires that the proposed arrangement of vehicular and pedestrian traffic not adversely affect the general public or adjacent uses. The work by the Texas Department of Transportation on I-35 and associated intersections has caused changes to the traffic conditions in this area that make a drive-thru in this location harmful to surrounding property owners. The proposed layout of driveways is also fundamentally different than the earlier development. With the addition of the North Texas Boulevard median, second drive-thru lane, and an additional driveway on Wilshire, vehicular and pedestrian traffic will be impacted in 3 specific ways:

- *I-35 Frontage Road:* Traffic traveling north on the I-35 Frontage Road will be negatively impacted by peak hour trips to the restaurant for both entering and exiting traffic at this driveway location. If entering traffic is backed up into the frontage road, access to the right-turn stacking lane will be negatively impacted. Additionally, exiting traffic from this same drive-thru has no restrictions on unsafe lane changes to reach the left-turn or u-turn lanes to return south on I-35 adversely affecting the general public as well as access to the University especially during peak hours.
- *North Texas Boulevard:* Due to the installation of the median on North Texas Boulevard, exiting traffic will be forced to turn right to Wilshire, Eagle, or further into UNT Campus which will have a negative impact on pedestrian and vehicular movements on these streets.

- *Wilshire Drive:* New access on Wilshire Drive will introduce significant increased traffic to UNT property adversely affecting University uses.

These new traffic patterns exacerbate existing difficult conditions for pedestrian crossings on North Texas Boulevard and Eagle Drive and traffic circulation in the southern end of campus. A Traffic Impact Analysis by the developer is needed to fully evaluate these adverse impacts and understand how this new traffic circulation will impact the surrounding property owners. However, it is clear that as currently presented the proposed project does not meet this criteria.

Condition B7 requires that landscaping and screening be harmonious and compatible with adjacent uses. The proposed landscaping and screening is not compatible with its location as adjacent to the University's primary vehicular entry point. The property is located directly across from North Texas Blvd. from a site on which the University has recently invested approximately \$540,000 in landscaping improvements and a relocated monument sign. The code minimum approach taken in the proposed project is not compatible with this adjacent use. Significant improvements would be needed to address this criteria and be more compatible with the City's Comprehensive Plan, specifically the Community Character chapter. As proposed the project does not meet the requirements of this criteria.

Criteria D identifies additional findings that must be met to insure that the proposed project is compatible with and does not have an adverse impact on the surrounding area. The proposed development does not meet several of these conditions, specifically conditions 1, 2, 3, and 6.

Condition D1: The proposed development is not similar to the scale of development in this area. The developed properties within 200 feet have an average floor area ratio of 0.6. Mozart Hall including the surrounding parking nears a floor area ratio of 1.0; in contrast the proposed floor area ratio is 0.1, one tenth as dense as Mozart Hall. This low level of density is not compatible with adjacent uses.

Condition D2: As stated previously, the additional traffic on North Texas Boulevard, Wilshire, and Eagle from the new driveway configuration on this site would be detrimental to pedestrian traffic in this area. Additional on-street parking on Wilshire and Kendolph will increase and be detrimental to circulation and access to the UNT Police Station at this corner. This is a significant adverse impact.

Condition D3: The materials shown in the elevations of the proposed project are not compatible the University buildings material palette and would be inconsistent with University development in this area.

Condition D6 requires consideration of future development consistent with the Denton Plan 2030. The approval of a drive-thru facility in this location will reduce the incentive of surrounding property owners to achieve anything other than auto-oriented redevelopment of the properties. Promoting development without the

guidance of a small area plan will reduce the impact that a Small Area Plan can have, and limit future cohesive redevelopment in this area would be beneficial to all the property owners in the area.

Based on the clear failure of the proposed project to meet the Criteria for Approval, the specific use permit should be denied.