

Z17-0013 Overlay District Proposed Restrictions

It is the goal of Denton Justice Plaza LLC (Applicant) to re-zone 3.125 Acres of 1405 East McKinney Street (Property) from NR-6 to NRMU-12. The applicant is proposing the creation of an overlay district on the property in accordance with DDC 35.5.2.4 and 35.7.3 to address the concerns of the owners of the existing adjacent residential uses in conjunction with an amendment of the underlying mixed-use zoning classification.

An overview of the adjacent residential uses concerns consisted of the preservation of the existing trees, improvements to Jannie St., restriction of Bars and late night active facilities, aesthetically congruent development with the existing surrounding buildings, drainage concerns, property values, stories of proposed buildings, and time of construction.

To address the adjacent property owners and city review staff concerns, the applicant proposes the following restrictions be applied to the property:

- Restrict buildings to a maximum one-story building.
- Restrict maximum building height to 35 feet.
- Mechanical units located within 100 feet of the adjacent properties will be limited to 5-ton units, placed on the sides of the buildings such that there will not be more than 2 units on both sides of the building, limiting the total units to 4 units per building. Units will be screened from the adjacent properties for both noise and aesthetics.
- Construct a screening wall around the property.
- Strike the below uses from the district:
 - Dwelling above businesses
 - Group homes
 - Multi-Family Dwellings
 - Fraternity or Sorority Homes
 - Dormitories
 - Bed and Breakfasts
 - Laundry Facilities
 - Semi-Public Halls, Clubs, or Lodges



- Kindergarten or Elementary Schools
- Middle Schools
- Elderly Housing

Proposed zoning regulations prohibits the construction of bars within NRMU-12. Applicant will preserve and mitigate the required trees per the DDC. Applicant will provide building materials per the DDC. Applicant will provide drainage improvements as required by the DDC.

Applicant is of the opinion that the impact of the proposed development will be compatible to the surrounding development as the existing zoning regulations for NR-6 are similar to NRMU-12 as they require the same 60% or less lot coverage, 40% or more landscape area, Maximum building height restriction of 40 feet, and the same minimum front, side and rear yard regulations.

It is the opinion of the applicant that the proposed zoning change and subsequent development of the land will not lead to an undue shift in population density in the area, nor compromise existing or future developments, or create inordinate cost to the City in the provision of public requirements and safety measures.

Respectfully,

Allison Engineering Group

Lawrence A. Holdorf, P.E.