



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: October 17, 2017

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding an initial zoning classification of an Industrial Center General (IC-G) District and use classification on approximately 14 acres of land generally located at the southeast corner of Shelby Lane and Dakota Lane 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 of the request (6-0). (Z17-0020, Lineman College).

BACKGROUND

The applicant, on behalf of the property owner, is requesting an initial zoning of Industrial Center General (IC-G) District in order to expand an existing trade school which was established on the site in early 2010. At that time, the property was not within the municipal boundary of the City of Denton.

On May 4, 2010, the subject property was annexed as part of a City-wide annexation program. Generally, newly annexed property is not zoned until a zoning request is officially approved by the City Council. In accordance with Section 35.16.8.G of the Denton Development Code (DDC), for newly annexed land that has not been zoned, no application will be deemed complete for any uses, intensities of use, dimensions or lot sizes not authorized by Rural Residential (RD-5) Zoning District.

Under the zoning of RD-5 District, the existing trade school use is not permitted; however, since it was established prior to annexation, it is deemed a nonconforming use in accordance with Section 35.11.2 of the DDC. Pursuant to regulations regarding non-conforming uses, the trade school can continue to operate, but each expansion of the use would require approval by the Board of Adjustment. Since the school's future plans include an expansion of the existing facilities, the owner has elected to pursue an initial zoning of IC-G District, which permits the use.

Per the Denton Plan 2030, the Future Land Use designation of the subject property is Industrial Commerce. Industrial Commerce is intended for areas where the predominant land uses are industrial, including manufacturing, assembly, fabrication, wholesaling, and distribution. The uses and development scale permitted in IC-G District are consistent with the Future Land Use designation of Industrial Commerce, whereas the uses and development scale allowed under the current zoning of RD-5 are inconsistent. RD-5 District encourages rural residential development on minimum 5-acre lots with limited permitted commercial and industrial uses. Furthermore, the proposed IC-G District is a logical extension of the adjacent parcels' zoning and the zoning pattern of the surrounding area.

A full analysis of the request has been attached in Exhibit 2.

To comply with the public hearing notice requirements, 6 notices were sent to property owners within 200 feet of the subject property, 18 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 the issuance of this report, no responses have been received by the City.

OPTIONS

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

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.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On October 11, 2017, the Planning and Zoning Commission (P&Z) held a public hearing regarding the initial zoning request. Following staff's presentation of the item, the P&Z inquired about the future expansion plans for the existing trade school located on the subject property. While the applicant has indicated that additional classroom space is being contemplated, no detailed information on the ultimate build-out has been provided to the City. However, if the zoning is approved, the use would be permitted to expand in accordance with the IC-G District dimensional requirements. At the close of the public hearing, a motion was made to recommend approval. This motion passed 6-0.

Minutes of the October 11, 2017 Planning and Zoning Commission meeting and have not been drafted as of the issuance of this report.

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. Aerial Map
4. Zoning Map
5. Future Land Use Map
6. Proposed Zoning Map
7. Permitted Use Comparison

8. Notification Map
 9. Presentation
 10. Draft Ordinance
- Respectfully submitted:

Scott McDonald
Interim Director of Development Services

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Senior Planner