

Staff Analysis

PDA17-0006/CarMax

City Council District 4

Planning & Zoning Commission

November 8, 2017

REQUEST:

Hold a public hearing and consider a request by Jim/Heritage, LP regarding approval of a Detail Plan for Planned Development 12 (PD-12) District to depict a new or used car sales lot on approximately 7.11 acres out of a 34.40-acre tract. The property is generally located on the west side of I-35E, approximately 3,200 feet southeast of State School Road. (PDA17-0006, CarMax).

OWNER:

Jim/Heritage, LP

APPLICANT:

Jennifer Reiner with Dunaway Associates

BACKGROUND:

The applicant, on behalf of Jim/Heritage, LP, has requested Detailed Plan approval for a car sales lot in Planned Development 12 (PD-12) District.

PD-12 District was created prior to the 2002 adoption of the Denton Development Code (DDC). Therefore, new development within the PD boundary is subject to the requirements of the 1991 Development Code ('91 DDC) outlined in Article IV, Sections 35-151 through 158 and 35-171 through 184. These requirements define a planned development process that includes two phases: a Concept Plan and a Detailed Plan. The Concept Plan establishes the general guidelines for the PD, including project boundaries, land uses, and general thoroughfare locations. A Detailed Plan provides more specific information about the proposal and is defined as:

Detailed Plan – the final step in the planned development process which contains the details of the development of the property. Such standards may include permitted land uses and the acreage for each use, adjacent or surrounding land uses, zoning, streets, drainage facilities, existing or proposed off-site improvements, parking lots and parking spaces, access and connection to existing or proposed streets, trees and landscaping, the maximum height of all buildings, the maximum total floor area, the location of water retention areas and major drainage facilities, and the location of all major utilities.

On June 3, 1986, City Council approved Ordinance 86-109, adopting a Concept Plan for 74.8 acres of land within the Planned Development 12 District. The Concept plan established the permitted uses, general locations of the use categories, and development standards. On May 5, 1987, City Council approved Ordinance 87-084, which amended the Concept Plan for 43.3 acres of land located within the PD-12 zoning district. Specifically, the amendment modified the parking and traffic requirements; however, the permitted uses remained the same.

SITE DATA:

The subject site is 7.11 acres out of a 34.40-acre undeveloped tract. The property has 550 feet of frontage along I-35E and will be accessed from the highway frontage road. The southeast portion of the site is encumbered by FEMA Floodplain. Any development must conform to the development requirements associated with floodplain disturbance.

USE OF PROPERTY UNDER CURRENT ZONING:

PD-12 District designates the subject property as Commercial Shopping. The permitted uses correspond to the use tables for the Commercial and Office Districts in the '91 DDC except for those specifically identified in the Concept Plan. New or Used Car Sales Lot (in open) is a permitted use in the '91 DDC Commercial District and in PD-12 District.

SURROUNDING ZONING AND LAND USES:

Northwest: <ul style="list-style-type: none"> Regional Center Commercial Downtown (RCC-D) and Regional Center Commercial Neighborhood (RCC-N) Districts Vehicle Sales 	North: <ul style="list-style-type: none"> RCC-D District Veterinary Clinic 	Northeast: <ul style="list-style-type: none"> RCC-D District Undeveloped
West: <ul style="list-style-type: none"> PD 12 District Undeveloped, Single-family dwellings 	SUBJECT PROPERTY	East: <ul style="list-style-type: none"> RCC-D District Undeveloped
Southwest: <ul style="list-style-type: none"> PD 12 District Undeveloped 	South: <ul style="list-style-type: none"> PD 12 District Undeveloped Recreational use 	<ul style="list-style-type: none"> Southeast: RCC-D District Undeveloped

COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:

The subject property is located adjacent to I-35E in area where vehicle sales facilities have clustered. The zoning pattern includes a combination of Regional Center Commercial Districts and PD-12 District, both of which permit large scale commercial development that is typically found within proximity of major highways.

The proposed use and building scale is consistent with the existing development character and zoning pattern. If approved, the Detailed Plan for car sales is not anticipated to negatively impact adjacent property owners or the surrounding area.

COMPREHENSIVE PLAN:

Per the Denton Plan 2030, the Future Land Use designation is Regional Mixed Use. Regional Mixed Use applies to areas that serve as regional destinations within Denton. Development may include moderate and high density residential, commercial, office, entertainment and other uses except industrial, at the highest levels of scale and density within the city. This designation is located primarily along I-35 interchanges and primary arterials to encourage the greatest regional accessibility. Future development in Regional Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase their regional draw, accommodate greater connectivity and mobility options, and create a sense of place.

The proposed Detailed Plan conforms to the Future Land Use designation, as it accommodates a use which requires the enhanced visibility and access provided by I-35E. Furthermore, uses such as vehicle sales are typically considered to be regional destinations that encourage travel to the City from outside communities.

CONSIDERATIONS:

1. The applicant has submitted a Detailed Plan for PD-12 District for a New or Used Car Sales Lot. The associated documents, including Site Plan, Landscape Plan, and Elevations, are attached for reference.

2. The proposal reflects the following elements:
 - a. An approximately 7,480 square foot building constructed with masonry materials.
 - b. One driveway connection provided to the I-35E Frontage Road.
 - c. The sales staging area will be screened with a 6-foot masonry wall.
 - d. Six street trees and a shrub hedgerow will be planted along I-35E.
 - e. 71,250 square feet (23% of 7.11 acre lot) of tree canopy at maturity will be planted.
 - f. Denton Development Code (DDC) Section 35.13.12 requirements relating to light and glare will be followed.
 - g. Public address speakers will be oriented toward interior of site.
 - h. Approximately 22 trees will be planted along the rear of the site.

3. Per '91 DDC, the Detailed Plan shall be approved if it finds that all of the following criteria have been met:

- a. *The plan complies with the general concept plan or development plan approved for that property;*

The use and development standards outlined in the proposed Detailed Plan conform to the approved Concept Plan.

- b. *The plan provides for a compatible arrangement of buildings and land uses and would not adversely affect adjoining neighborhoods or properties outside the plan,*

The proposal is compatible with the adjoining properties, as the use and design standards are consistent with the nearby developments along the I-35E corridor. However, since single-family neighborhoods are located to the west of the request, 22 trees are proposed along the rear of the site to provide a buffer. Furthermore, the public address speakers and lighting will be designed to minimize impacts on adjacent properties.

- c. *The plan provides for adequate and safe circulation of vehicular traffic; and*

The proposed Detailed Plan provides for adequate and safe circulation, which includes one point of vehicular access from the I-35E Frontage Road. The parking area for customers and employees includes the use of endcaps to direct traffic and will be separated from the display area with a security gate.

- d. *The plan is in substantial compliance with the landscape, sign, subdivision, and other regulations of the city, or, if not, the plan offers corresponding benefits that merit deviation from those regulations.*

The proposed Detailed Plan is in substantial compliance with the City's regulations.

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.

PUBLIC NOTIFICATION:

To comply with the public hearing notice requirements, 23 notices were sent to property owners within 200 feet of the subject property, 64 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.

Respectfully submitted:
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