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**AGENDA INFORMATION SHEET**

**DEPARTMENT:** Department of Development Services

**CM:** Todd Hileman

**DATE:** December 5, 2017

**SUBJECT**

Hold a public hearing and consider a request by CDI 2499, LLC to for an initial zoning of Neighborhood Residential Mixed Use (NRMU) District on approximately 6 acres. The property is generally located on the east side of the future FM 2499 alignment, approximately 1,400 feet south of Robinson Road. (Z17-0022, Eastside at Oakmont, Julie Wyatt).

**BACKGROUND**

The applicant is requesting an initial zoning of Neighborhood Residential Mixed Use (NRMU) District in order to facilitate the future development of commercial uses on a 6-acre site. A full staff analysis is attached in Exhibit 2.

To comply with the public hearing notice requirements, 35 notices were sent to property owners within 200 feet of the subject property, 116 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 this writing, the City has received five responses in opposition to the proposed rezoning.

**OPTIONS**

1. Approve request without a Mixed Use Residential Protection Overlay.
2. Approve request with a Mixed Use Residential Protection Overlay prohibiting Hotels and Bars as recommended by the Planning and Zoning Commission.
3. Deny.
4. Postpone consideration.
5. Table item.

**RECOMMENDATION**

Staff recommends approval of the request.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

This item was placed on the October 25, 2017 Planning and Zoning Commission agenda, but was postponed to the November 8, 2017 meeting by the applicant in order to modify the request. The original submission requested an initial zoning of Commercial Mixed Use General (CM-G) District. However, due to staff and neighborhood concerns regarding compatibility, the applicant elected to revise the request to an initial zoning of NRMU District. A revised notification reflecting NRMU District was published in the Denton

Record Chronicle and mailed to property owners within 200 feet of the subject property and physical addresses within 500 feet of the subject property.

On November 8, 2017, the Planning and Zoning Commission (P&Z) held a public hearing regarding the requested rezoning. During the meeting, P&Z discussed the compatibility of hotels and bars, which are permitted in NRMU District, adjacent to the existing residential neighborhood. At the closure of the public hearing, a motion was made to recommend approval of the request with the following Mixed Use Residential Protection Overlay restrictions. This motion passed 7-0.

- Hotels and Bars are not permitted.

### **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. Permitted Use Comparison
7. Proposed Zoning
8. Notification Map and Responses
9. Presentation
10. Planning and Zoning Commission Meeting Minutes
11. Draft Ordinance

Respectfully submitted:  
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