

Staff Analysis

S17-0010/Palladium

City Council District 2

Planning & Zoning Commission

November 29, 2017

REQUEST:

Hold a public hearing and consider a request by Belair Development, LTD for a Specific Use Permit for 7.5 acres of land, specifically to allow for a multi-family residential use. The property is generally located on the northeast corner of East Sherman Drive and Poinsettia Boulevard in the City of Denton, Denton County, Texas. (S17-0010, Palladium Denton, Julie Wyatt).

OWNER:

Belair Development, LTD.

APPLICANT:

Ryan Combs with Palladium USA

BACKGROUND:

The applicant, on behalf of Belair Development, LTD, is requesting a Specific Use Permit (SUP) in conjunction with a rezoning request to Neighborhood Residential Mixed Use (NRMU) District in order to develop the site with multi-family dwellings. NRMU District permits multi-family dwellings as a mixed-use development or with approval of an SUP. Since the proposed multi-family development does not include a mixed-use component, the applicant is requesting an SUP to develop the site. The request for the rezoning must be approved for the SUP to be considered for approval.

The applicant is proposing a traditional multi-family development financed through the Housing Tax Credit Program (HTC), which is administered by the Texas Department of Housing and Community Affairs. The HTC is intended to provide housing for residents who earn 50 to 60 percent of the area's median income (the 2017 median income for the Dallas Metro Area is \$73,400 per year for a family of four). As part of the HTC application, the City Council approved a resolution of support for the proposed development on February 7, 2017.

A conceptual site plan and rendering are attached. If approved, the 150-unit multi-family development will contain a combination of one-, two-, and three-bedroom units with associated amenities, landscaping, screening, and parking. The building materials will include stone accents and earth-tone colors. Platting and site plan approval will be required to facilitate the adequate provision of public infrastructure and ensure compliance with all zoning, site design, and parking regulations.

SITE DATA:

The subject property is approximately 7.5 acres located on the northeast corner of East Sherman Drive and Poinsettia Boulevard. The site is undeveloped with approximately 385 feet of frontage on East Sherman Drive and 960 feet of frontage along Poinsettia Boulevard. Per the Mobility Plan, East Sherman Drive is classified as a Primary Arterial, which is intended to serve as a major route into and across the City. Typically, Primary Arterial roadways require 135 feet of right of way and are designed with three travel lanes in each direction separated by a median.

Due to the current and future development along Poinsettia Boulevard, it is classified as a Main Street Mixed Use Collector. Main Street Mixed Use Collectors provide access to all types of

residential dwelling units and neighborhood commercial development. Typically, Main Street Mixed Use Collectors require 70 feet of right-of-way and include two through lanes and parking on both sides.

SURROUNDING ZONING AND LAND USES:

Northwest: <ul style="list-style-type: none"> • NRMU and CM-G Districts • Undeveloped 	North: <ul style="list-style-type: none"> • CM-G District • Undeveloped 	Northeast: <ul style="list-style-type: none"> • CM-G District • Undeveloped
West: <ul style="list-style-type: none"> • NRMU and NR-6 Districts • Undeveloped 	SUBJECT PROPERTY	East: <ul style="list-style-type: none"> • CM-G and NR-4 Districts • Undeveloped and single-family residential under construction
Southwest: <ul style="list-style-type: none"> • NR-3, NR-4 and NR-6 Districts • Single-family residential and undeveloped 	South: <ul style="list-style-type: none"> • NR-3 and NRMU-12 Districts • Single-family residential and townhomes 	Southeast: <ul style="list-style-type: none"> • NRMU-12 and NR-6 Districts • Single-family residential and townhomes

COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:

The subject property is situated between the intersection of East Sherman Drive and Loop 288 and Poinsettia Boulevard. Poinsettia Boulevard separates the site from established residential neighborhoods consisting of one- and two-story single-family dwellings and townhomes. Although undeveloped, property adjacent to East Sherman Drive and Loop 288 is zoned as CM-G and NRMU Districts. Future development must conform to the permitted uses and development scale associated with the governing zoning districts.

Although the proposed multi-family development's density is higher than the established neighborhoods, the use would provide a residential buffer between the existing development and future commercial development at the intersection of East Sherman Drive and Loop 288.

COMPREHENSIVE PLAN:

Per the Denton Plan 2030, the Future Land Use Designation of the subject property is Community Mixed Use. Community Mixed Use is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complimentary. Future development in Community Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase their economic viability, accommodate greater connectivity and mobility options, and create a sense of place to serve the local community. Typical types of development may include a supermarket, drug store, specialty shops, service stations, midsize offices, employers, and high-to-moderate density housing.

According to the Denton Plan 2030, diverse uses shall be located in proximity to one another so that all uses are accessible from a single stop by walking, bicycling, or transit. Commercial uses should be programmed appropriately to serve the local Denton community and to be compatible with adjacent land uses.

Multi-family development is consistent with the Future Land Use, as it will permit higher-density housing to support future commercial development.

CONSIDERATIONS:

1. Pending approval of a rezoning from CM-G District to NRMU District, the request is for an SUP to allow the development of a multi-family residential use on approximately 7.5 acres of land.
2. Per Section 35.13.3.B of the DDC, a Transportation Impact Analysis (TIA) is required for any development which would generate more than 1,000 vehicle trips per day and/or more than 100 vehicle trips per hour. Based upon the 8th Edition of the Institute of Transportation Engineers Trip Generation Manual, the proposed use produces 998 daily vehicle trips and 93 evening peak hour vehicle trips. Therefore, the proposed development does not require a TIA.
3. Section 35.6.4 of the DDC outlines the criteria for approval of a SUP. These criteria are as follows:

- a. *That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with The Denton Plan and federal, state, or local law.*

If the rezoning and proposed use are approved, the development would be required to go through a full site plan review procedure prior to permitting. At that time, the site would be required to be in compliance with all site design and parking regulations in the DDC.

- b. *A SUP shall only be granted if all of the following conditions have been met:*
 - i. *That the specific use will be compatible with and not injurious to the use and enjoyment of other property nor significantly diminish or impair property values within the immediate vicinity.*
 - ii. *That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property.*
 - iii. *That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided.*
 - iv. *The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.*
 - v. *That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration.*
 - vi. *That directional lighting will be provided so as not to disturb or adversely affect neighboring properties.*
 - vii. *That there is sufficient landscaping and screening to ensure harmony and compatibility with adjacent property.*

The proposed use is situated between established residential neighborhoods and undeveloped property at the intersection of East Sherman Drive and Loop 288. The adjacent undeveloped property has a Community Mixed Use General (CM-G) District zoning designation, which permits large-scale commercial uses and high-density residential development with limitations. If approved, the proposed multi-family will provide necessary density to support future commercial growth in the area. Although the proposed development will introduce additional density, the site's location will provide a physical buffer between nearby neighborhoods and the future commercial development on Loop 288, allowing the development and land use pattern to gradually transition from lower-density residential uses to high-intensity, large-scale commercial uses. DDC requirements for parking lot orientation, lighting, and screening will facilitate compatibility with the existing

residential uses. Furthermore, the proposed development must meet City requirements for tree preservation, tree canopy, and street tree planting.

- c. *That adequate capacity of infrastructure can and will be provided to and through the subject property.*

As to infrastructure, a needs assessment, depending on the development, would be conducted at the time of platting and site plan submittal. Compliance with all transportation, drainage, and infrastructure requirements is mandatory with platting and development of the site.

- d. *That the Special Use is compatible with and will not have an adverse impact on the surrounding area. When evaluating the effect of the proposed use on the surrounding area, the following factors shall be considered in relation to the target use of the zone:*

- i. *Similarity in scale, bulk, and coverage.*
- ii. *Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*
- iii. *Architectural compatibility with the impact area.*
- iv. *Air quality, including generation of dust, odors, and other environmental pollutants.*
- v. *Generation of noise, light, and glare.*
- vi. *The development of adjacent property as envisioned in the Denton Plan.*
- vii. *Other factors found to be relevant to satisfy the requirements of this Chapter.*

Since the existing residential development on Poinsettia Boulevard is oriented toward the subject property, the proposed use must maintain sensitivity to scale and architectural compatibility. As such, the applicant is proposing an earth-tone color scheme with stone accents in order to conform to the existing residential character of the surrounding the property.

The proposal is consistent with the Future Land Use designation, as it provides the necessary residential dwellings to support commercial development. Additionally, Element 7 in the Denton Plan 2030 establishes a goal to encourage housing type, cost, and location choices. In order to achieve this goal, the Plan addresses affordable housing with a policy to, “Expand the availability of affordable housing choices for community members most in need of housing, including those with low incomes and special needs.” The proposed multi-family development will include a mixed-income component which will provide an affordable housing choice in an established neighborhood environment.

Due to the residential nature of the proposed development, environmental impacts are not expected.

STAFF RECOMMENDATION:

The proposed use meets the criteria for approval and is consistent with the Denton Plan 2030. Multi-family dwellings will provide an appropriate transition between existing residential neighborhoods and future commercial development in addition to meeting the community’s goal for a variety of housing choices.

If the Planning and Zoning Commission votes to recommend approval of the request, staff recommends the following conditions be established:

1. A full site plan submittal shall be required to ensure each phase of the development complies with the requirements of the Denton Development Code in terms of site design, landscaping, parking, and building design as provided in DDC 35.6.3.
2. The exterior building materials must maintain muted, earth-tone colors.

PUBLIC NOTIFICATION:

To comply with the public hearing notice requirements, 36 notices were sent to property owners within 200 feet of the subject property, 84 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:
Richard Cannone, AICP
Interim Planning Director

Prepared by:
Julie Wyatt
Senior Planner