

Staff Analysis

Z17-0012/Mingo Road Apartments

City Council District 1

December 13, 2017

REQUEST:

Hold a public hearing and consider a request by Amanda Austin to rezone approximately 4 acres from a Neighborhood Residential 3 (NR-3) District to a Neighborhood Residential Mixed-Use 12 (NRMU-12) District. The property is generally located on the north side of Mingo Road, approximately 150 feet southwest of Boyd Street in the City of Denton, Denton County, Texas. (Z17-0012, Mingo Road Apartments, Julie Wyatt).

OWNER:

Amanda Austin

APPLICANT:

Lee Allison with Allison Engineering Group

BACKGROUND:

The applicant, on behalf of Amanda Austin, is requesting to rezone the subject property from a Neighborhood Residential 3 (NR-3) District to a Neighborhood Residential Mixed Use 12 (NRMU-12) District in order to develop the site with multi-family dwellings.

The subject property is located adjacent to Mingo Road between a single-family residential neighborhood zoned NR-3 District to the north and east and age-limited apartments zoned NRMU-12 District to the west. A freight railroad runs parallel to Mingo Road, separating the subject property from neighborhoods to the south. The site is also located within the vicinity of Texas Women's University (TWU).

Multi-family dwellings are permitted in NRMU-12 district, subject to Limitation 4, which requires either approval of a Specific Use Permit (SUP) or a mix of three or more supporting land uses. Since a mixed use development is not contemplated, an application for an SUP has been concurrently submitted.

SITE DATA:

The subject property is a 4-acre tract located on the north side of Mingo Road, approximately 150 feet southwest of Boyd Street. It is developed with a residential use and includes approximately 425 feet of frontage on Mingo Road with no direct connectivity to adjacent residential properties. Per the Mobility Plan, Mingo Road is classified as a Secondary Arterial, which is intended to serve as a major route through and between different areas of the City. Typically, Secondary Arterial roadways require 110 feet of right of way and are designed with two travel lanes in each direction separated by a median. Five-foot wide sidewalks with 10-foot parkways are required within the right-of-way. Since Mingo Road is not built to the Secondary Arterial standards, right-of-way dedication and perimeter street improvements may be required at platting and development. Transit is available nearby via Denton County Transportation Authority's (DCTA) Denton Connect Route 4.

USE OF PROPERTY UNDER CURRENT ZONING:

The Neighborhood Residential 3 (NR-3) District is intended for single-family uses with a maximum density of 3.5 dwelling units per acre. For developments greater than two acres, there are no minimum lot sizes stipulated in the Denton Development Code (DDC). Attached single-

family dwellings, Accessory Dwelling Units, Daycares and Elementary Schools are permitted with a Specific Use Permit (SUP). Parks, open space, and religious institutions are permitted by right.

SURROUNDING ZONING AND LAND USES:

Northwest: <ul style="list-style-type: none"> • NRMU-12 District • Elderly Housing 	North: <ul style="list-style-type: none"> • NR-3 District • Single-family residential 	Northeast: <ul style="list-style-type: none"> • NR-3 District • Single-family residential
West: <ul style="list-style-type: none"> • NRMU-12 District and Downtown Residential 2 (DR-2) District • Elderly Housing, office, and residential 	SUBJECT PROPERTY	East: <ul style="list-style-type: none"> • NR-3 District • Single-family residential
Southwest: <ul style="list-style-type: none"> • NRMU-12 District • Undeveloped 	South: <ul style="list-style-type: none"> • NRMU-12 and NR-4 Districts • Railroad • Undeveloped and single-family residential 	Southeast: <ul style="list-style-type: none"> • NR-4 District • Single-family residential

REVIEW CRITERIA:

1. The request is to rezone approximately 4 acres from NR-3 District to NRMU-12 District to permit multi-family residential development on the site. Section 35.4.B of the DDC establishes the following criteria for approval:

- a. *The proposed rezoning conforms to the Future Land Use Element of the Denton Plan 2030:*

The Future Land Use Designation of the subject property is Neighborhood/University Compatibility Area. This land use designation applies to residential and commercial areas that are affected by their proximity to the University of North Texas and Texas Woman’s University. Since projected increases in enrollment at both universities will likely require additional facilities and student housing, this designation is intended to create compatible form and land uses for the areas that serve both the established neighborhoods and the universities. Diverse uses should be located in proximity to one another so that all uses are accessible from a single stop by walking, bicycling, or transit. Typical uses include moderate density residential, neighborhood-serving retail, restaurants, commercial, and office that serve students and neighborhood residents

The Denton Plan 2030 also encourages the development of infill areas, stating, “...the City should take every opportunity to ensure that as gaps in the neighborhood fabric occur, infill development, that is development of vacant or deteriorated properties, will be encouraged, complementing the scale and character of each neighborhood.” Various low to moderate density housing types such are suggested for these areas, as they are potentially compatible with existing neighborhoods. However, the comprehensive plan recognizes that the introduction of new housing types can create concerns with existing neighborhood residents. To address possible concerns, the Denton Plan 2030 suggests that these housing types are best suited for development on higher traffic corridors where single family uses are unlikely to develop.

NRMU-12 District corresponds with the Future Land Use, as it provides moderate-density housing and neighborhood-serving commercial development at a scale that is compatible with the nearby established residential neighborhood. The subject property's location on an existing arterial adjacent to a DCTA Connect route suggests that the uses permitted in NRMU-12 District, and multi-family in particular, are appropriate in this location. As such, rezoning the subject property to NRMU-12 District could encourage the development of the underutilized site, providing an opportunity to promote compact growth and curb sprawl.

- b. The proposed rezoning facilitates the adequate provision of transportation, water, sewers, schools, parks, and other public requirements and public convenience.*

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. Furthermore, all proposed development must meet City requirements for tree preservation and other environmental impacts.

2. Given the existing development pattern and freight railroad across Mingo Road, the subject property is unlikely to develop with single-family residential uses. Furthermore, the site's proximity to TWU indicate the need for additional housing and services within the area. The proposed NRMU-12 District would permit the subject property to develop with small-scale commercial or moderate-density residential uses which could serve both the surrounding neighborhoods and nearby university.

However, development must be sensitive to the adjacent established neighborhoods. As such, NRMU-12 District design standards, including setbacks, maximum lot coverage, and maximum building heights are similar to the adjacent NR-3 District, ensuring compatible development scale. While NRMU-12 permits commercial and moderate-density residential uses, they are limited in size and type, providing small-scale, day-to-day convenience for nearby neighborhoods. To further reduce potential impacts, DDC Subchapter 13 requires landscape buffers when multi-family, commercial, or institutional uses are located adjacent to residential neighborhoods to minimize nuisances and increase compatibility.

Additionally, NRMU-12 District is a logical extension of the adjacent NRMU-12 District and serves as a transition between the DR-2 District to the west and the single-family neighborhoods to the east.

3. Due to the site's configuration and surrounding development, no direct access will be provided between the subject property and the adjacent residential neighborhoods.
4. If the rezoning is approved, the applicant must also secure approval of an SUP from City Council prior to development of a multi-family use. An SUP for the multi-family use is being considered concurrently with the proposed rezoning (S17-0006).

STAFF RECOMMENDATION:

The request is consistent with the Future Land Use designation and the overall goals of the Denton Plan 2030. The proposed NRMU-12 District permits moderate-density residential and limited commercial uses, encouraging infill development that is compatible with the surrounding zoning and development pattern. Therefore, Staff recommends approval of the request.

PUBLIC NOTIFICATION:

To comply with the public hearing notice requirements, 26 notices were sent to property owners within 200 feet of the subject property, 73 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. The applicant held a neighborhood meeting on June 20, 2017. Staff was not able to attend the meeting, but according to the applicant, the major concerns included increased traffic on Mingo Road, drainage, and loss of privacy for homes which back up to the subject property.

Respectfully submitted:
Richard Cannone, AICP
Interim Planning Director

Prepared by:
Julie Wyatt
Senior Planner