

Staff Analysis

S17-0006/Mingo Road Apartments

City Council District 1

Planning & Zoning Commission

December 13, 2017

REQUEST:

Hold a public hearing and consider a request by Amanda Austin for a Specific Use Permit for 4 acres of land, specifically to allow for a multi-family residential use. 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. (S17-0006, 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 a Specific Use Permit (SUP) in conjunction with a rezoning request 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 the south side of 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, the applicant is seeking approval of an SUP.

A conceptual site plan and rendering are attached. If approved, the 48-unit multi-family development will provide two-bedroom units with associated outdoor recreation, landscaping, screening, buffers, and parking. In order to minimize the impacts to adjacent residential areas, the proposed buildings are set back a minimum of 44 feet from existing single-family dwellings. A maximum height of two stories is proposed, and building materials will include masonry with stone accents. 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 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.

REVIEW CRITERIA:

1. Pending approval of a rezoning from NR-3 District to NRMU-12 District, the request is for an SUP to allow the development of a multi-family residential use on approximately 4 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 320 daily vehicle trips and 33 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 an existing age-limited multi-family development on an infill lot. Although the proposed multi-family development's density is higher than the surrounding single-family neighborhoods, the use is compatible with the adjacent age-limited apartments and is appropriate in this location, given the site's access to a Secondary Arterial, proximity to TWU, and nearby available transit. Due to the site's configuration and surrounding development, no direct access will be provided between the subject property and the adjacent residential neighborhoods, limiting

the potential traffic impacts those neighborhoods. Instead, access to the site will be taken from Mingo Road, a Secondary Arterial.

DDC requirements for parking lot orientation, lighting, and screening will facilitate compatibility with the existing residential uses, and the proposed development must meet City requirements for tree preservation, tree canopy, and street tree planting. Additional site design considerations will further increase compatibility, including increased open and recreation space, maximum two-story height for all buildings, and increased side yard setbacks for buildings adjacent to single-family residential uses.

- 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.*

Due to the proposed limited number of dwelling units and the arrangement of buildings, open space, and parking areas on the site, the use is not anticipated to have an adverse impact on the surrounding area. The two-story apartment buildings will be set back from abutting single-family residential uses, increasing the separation between the proposed use and neighboring properties. Proposed large open areas will maintain a development scale consistent with the adjacent age-limited multi-family development.

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

The site's location near TWU, an existing Secondary Arterial, and a DCTA Denton Connect Route provide transportation options, and required perimeter street improvements will contribute to the completion of sidewalks along Mingo Road. Currently, few sidewalks are available along Mingo Road; however, as property along Mingo Road develops or roadway improvements are contemplated, additional sidewalks will be constructed, eventually completing the network.

The proposal is consistent with the Future Land Use designation and the goals of the Denton Plan 2030. The Neighborhood/University Compatibility Area is intended to encourage the development of additional housing to accommodate increases in university enrollment, provided that the development scale and architecture is compatible with the surrounding character. The Denton Plan 2030 also supports the development of infill properties as a strategy to provide a variety of housing types and compact development that is compatible in scale and intensity with nearby neighborhoods. As a moderate-density multi-family development, the proposal will provide necessary housing within the TWU area. Additionally, site design considerations, such as maximum two-story buildings, increased setbacks, and large open spaces, will increase compatibility with the nearby single-family neighborhoods.

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. The proposed multi-family dwellings will provide moderate density housing designed to minimize impacts to nearby single-family homes and create a compatible form within an infill area.

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 and is generally consistent with the concept plan provided.

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. A neighborhood meeting was held 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:
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Interim Planning Director

Prepared by:
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