



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

CM: Todd Hileman

DATE: March 20, 2018

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a zoning change from Neighborhood Residential 2 (NR-2) district and use classification to a Regional Center Commercial Downtown (RCC-D) district and use classification on approximately 88.725 acres of land generally located south of University Drive (US 380), approximately 1,500 feet west of Interstate 35 (I-35), in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission recommended 6-0 to approve the request. A SUPERMAJORITY VOTE BY COUNCIL IS REQUIRED FOR APPROVAL.

BACKGROUND

The subject property is the former location of the Selwyn School. The school relocated to a new location last year. The current property owner who bought the property is proposing to rezone the property from NR-2 District to RCC-D District to facilitate the development of a corporate headquarter/professional offices/mixed use development project. Attached as Exhibit 9 for your review is a copy of the applicant's project narrative. A full staff analysis of the zoning change request is provided in Exhibit 2.

Since the proposed zoning change of the property has been protested in writing by owners of more than 20 percent of the area within two hundred feet, a supermajority vote by Council is required for approval. The Rayzor Company represents 61 percent of the area within two hundred feet and they are in opposition of the proposed zoning change request.

The response letter submitted by The Rayzor Company representative did not provide any information as to why the Company is in opposition, but the representative did attend the Planning and Zoning Commission to voice their opposition. Refer to Exhibit 8 - Notification Map and Responses for a map and a copy of the response. At the Planning and Zoning Commission public hearing, the representative explained that the potential of residential dwelling units developed on the subject property would "hurt" their ability to market and sell their adjacent properties to future industrial users.

During the public hearing a Planning and Zoning Commissioner asked why residential dwelling units was okay adjacent to Peterbilt Motors located south of Oak Street and not okay at this location. The representative stated that the future Precision Drive would separated the two properties. On December 5, 2017, the City Council approved a zoning change and Specific Use Permit to allow for 71.76 acres of land, specifically to allow for a multi-family residential use on approximately 32.60 acres and to allow for an outdoor recreation use on approximately 19.90 acres. The proposed multi-family development, called the Retreat at Denton, is generally located on the south side of West Oak Street approximately 290 feet west of the Interstate 35 (I-35).

OPTIONS

1. Recommend approval as submitted.
2. Recommend approval subject to conditions.
3. Recommend denial.
4. Postpone consideration.
5. Table item.

RECOMMENDATION

The Planning and Zoning Commission recommended approval of the request with a (6-0) vote.

Staff recommends approval of this request.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

November 29, 2017 – The Planning and Zoning Commission opened the public hearing and postponed the item to the January 10, 2018 meeting at the request of the applicant.

January 10, 2018 – The Planning and Zoning Commission continued the public hearing and again postponed the item to the February 21, 2018 meeting at the request of the applicant.

February 21, 2018 - Planning and Zoning Commission held public hearing and recommended 6-0 to approve the request.

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. Site Location Map
4. Future Land Use Map
5. Zoning Map
6. Proposed Zoning Map
7. Comparison of Permitted Uses
8. Notification Map and Responses
9. Applicant's Project Narrative
10. Planning and Zoning Commission Minutes
11. Draft Ordinance
12. Staff Presentation

Respectfully submitted:
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