



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: May 1, 2018

SUBJECT

Consider an ordinance of the City of Denton, Texas, regarding a change in the zoning classification from a Neighborhood Residential 6 (NR-6) zoning district and use classification to a Neighborhood Residential Mixed Use 12 (NRMU-12) zoning district and use classification with an overlay on approximately 8.887 acres of land generally located on the southwest side of Colorado Boulevard, approximately 315 feet northwest of San Jacinto Boulevard 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 recommend approval of this request 6-0 with conditions. This item was continued from the April 3, 2018 City Council meeting.

BACKGROUND

The applicant is requesting to rezone the site to NRMU-12 to facilitate the development of a single family attached townhouse community on the property. This item was continued from the April 3, 2018 City Council meeting to give staff an opportunity to work with the applicant and City Transportation Engineer to devise an alternative plan for providing access to the site which won't require access to Clermont Lane or the Villas of Piney Creek subdivision as was required as a condition of approval by the Planning and Zoning Commission.

Working with staff and the applicant, it has been determined that two access drives to the subject site can be located along Colorado Boulevard. One will be located at the southern end of the site, near the bowling alley, at the terminus of the median strip in Colorado Boulevard. The applicant was given two options for the location of the second access drive. Please refer to Exhibits 11 and 12 for the two options. Regardless of which option is chosen, the Colorado Boulevard right-of-way will be widened along the front of this site, and the median will be modified to accommodate a center turn lane.

OPTIONS

1. Approve as submitted.
2. Approve subject to conditions.
3. Deny.
4. Postpone consideration.
5. Table item.

RECOMMENDATION

The Planning and Zoning Commission recommends approval of this request provided the Mixed Use Protection Overlay be applied to the site with the following conditions:

1. There shall be no uses permitted other than single family attached dwelling units, including townhouses, or single family detached dwelling units.
2. The overall density shall not exceed ten dwelling units per acre.

And included the three (3) additional conditions:

3. Buildings which are contiguous to the residential neighborhoods shall have a maximum height of two stories.
4. An emergency access gate shall be placed across Clermont Lane between the subject site and the Villas of Piney Creek subdivision.
5. Installation of an eight foot tall fence along adjacent properties.

Condition number 4 is no longer necessary due to the new access locations available to the site.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On March 7, 2018, the Planning and Zoning Commission held a public hearing for this request. During the public hearing, eight residents spoke in opposition to the request. The concerns expressed by the speakers included:

- a) Cut-through traffic along Clermont Lane which is a private street;
- b) Privacy due to the proposed height of the buildings;
- c) Noise
- d) Safety
- e) The possibility that the attached townhomes could become apartments;
- f) Preference for single family detached homes in lieu of the proposed single family attached townhouses.

The Commission responded to the concerns expressed by the residents by adding the three (3) additional conditions to the Mixed Use Protection Overlay.

On April 3, 2018, the City Council continued this application to give staff an opportunity to evaluate the site and determine if two access points can be provided to the site along Colorado Boulevard.

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. Site Location Map
3. Zoning Map
4. Future Land Use Map
5. Proposed Zoning Map
6. Comparison of Permitted Uses
7. Notification Responses Map
8. Staff Presentation
9. Planning and Zoning Commission Meeting Minutes
10. Draft Ordinance

11. Access Location Map Option 1
12. Access Location Map Option 2

Respectfully submitted:
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