

Z17-0033 / FBA Properties
City Council District #4
May 1, 2018

REQUEST:

Hold a public hearing and consider an ordinance of the City of Denton, Texas, regarding assignment of an initial zoning classification to a Community Mixed Use General (CM-G) zoning district and use classification on approximately 0.30 acres of land generally located on the east side of Old Alton Road, south of the intersection of Old Alton Road and Teasley Lane 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 7-0.

OWNER:

FBA Properties

APPLICANT:

Yolanda Vorel

BACKGROUND:

The 0.30 acre property was recently annexed into the city. The adjacent parcel is owned by the applicant and was rezoned from NRMU to CM-G in October 2017 for the purpose of developing a vehicle repair facility (Z17-0017). The subject site and the adjacent parcel are both part of the same lot. Once this site has zoning approval, it will become part of the planned vehicle repair facility. (Please refer to Exhibit 4, Zoning Map.)

SITE DATA:

The subject property is undeveloped and is platted as part of Lot 1, Block A, Denton Creek Estates. The site has approximately 90 feet of frontage along Old Alton Road. Old Alton Road is classified as a Future Secondary Arterial on the Mobility Plan, which will have 110 feet of right-of-way with four lanes with a median at full build-out.

The purpose of the CM-G District is intended to provide the necessary shopping, services, recreation, employment and institutional facilities that are required and supported by the surrounding community. This zoning is typically located in areas with easy access, such as along major roadways or the intersection of local roads and arterial streets. Most commercial and institutional uses are permitted by right. Multifamily is permitted as part of a mixed use development where office or retail are located on the bottom floor.

A complete list of permitted uses in the current and proposed zoning district is provided in the Comparison of Permitted Uses table.

SURROUNDING ZONING AND LAND USES:

Northwest: Zoning: CM-G Use: Old Alton Road	North: Zoning: CM-G Use: Old Alton Road	Northeast: Zoning: CM-G Use: Rental truck parking lot and Driveway to adjacent mini storage warehouse site
West: Zoning: None (ETJ) Use: Old Alton Road and Pro Care Collision	SUBJECT PROPERTY	East: Zoning: None (ETJ) Use: Mini Storage Warehouse
Southwest: Zoning: None (ETJ) Use: Old Alton Road and Pro Care Collision	South: Zoning: None (ETJ) Use: Athletic Field/Personal Training Facility	Southeast: Zoning: None (ETJ) Use: Mini Storage Warehouse

COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:

The proposed CM-G District is appropriate at this location because of the property's prominent location at the intersection of two arterial roadways. The Teasley Lane/Old Alton Road intersection is a gateway to the City of Denton for anyone traveling from the south or east, and the types of commercial development permitted in the CM-G District are logical in this area. This rezoning is also consistent with the current zoning of the remainder of the lot and the Guyer High School campus located across Teasley Lane.

CONSIDERATIONS:

1. Section 35.3.4 of the Denton Development Code (DDC) states that an application for a rezoning may be approved based on the following conditions:

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

As described above, the proposed rezoning to CM-G District is consistent with the Future Land Use designation of Community Mixed Use. The types of uses and scale of development permitted in CM-G District conform to the goals of the Community Mixed Use designation, including the promotion of predominantly commercial development.

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

Access/transportation to the site is easily available from Old Alton Road and Teasley Lane, and public water and sewer facilities are available in the area. Specifications about driveway locations and any necessary infrastructure extensions will be determined during the site plan and civil engineering plan review processes.

2. The requested CM-G District would actually be a continuation of the existing CM-G District on the rest of this lot. The uses permitted in the CM-G District would be consistent with the uses that exist in the area today, which include vehicle repair, offices, self-storage, and other commercial and institutional uses.
3. The property is part of a larger lot which is located at the corner of two arterial roadways, and this intersection serves as a gateway into the City from the south and east. Although

adjoining property to the south and east are located in the City's ETJ, a commercial district such as CM-G District is more appropriate at this prominent location because of the wider variety of commercial and institutional uses and more restricted residential uses that are permitted in CM-G District.

STAFF RECOMMENDATION:

Staff recommends approval of the request as it is compatible with the surrounding property and is consistent with the goals and objectives of the Denton Plan 2030.

PUBLIC NOTIFICATION:

To comply with the public hearing notice requirements, five notices were sent to property owners within 200 feet of the subject property, ten 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. No property owner responses have been received at the time of this writing.