

# **Planning Staff Analysis**

**Z18-0006/Fire Station 3**

**City Council District 3**

**May 23, 2018**

## **REQUEST:**

Hold a public hearing and consider making a recommendation to City Council regarding a request by the City of Denton for a zoning change from Downtown Residential 1 (DR-1) to a Downtown Commercial General (DC-G) District. The 1.33-acre site is generally located south of Underwood Street along Avenue A, in the City of Denton, Denton County, Texas. (Z18-0006b, Fire Station 3, Hayley Zagurski).

## **OWNER:**

City of Denton

## **APPLICANT:**

MJ Thomas Engineering, LLC

## **BACKGROUND:**

This request is to rezone a single tract of unplatted property from Downtown Residential 1 (DR-1) to Downtown Commercial General (DC-G) District to facilitate the development of a new fire station. City of Denton Fire Station Number 3 currently exists on the property. Fire stations are considered a “community service” use, which is not permitted within the DR-1 District.

Prior to the 2002 adoption of the DDC and city-wide rezoning, the subject property was zoned SF-7, which permitted fire stations. Since the current DR-1 zoning does not permit the community service use, the existing fire station is classified as a Special Exception per Section 35.11.13 of the Denton Development Code (DDC). The use could continue on the property without rezoning; however, the existing fire station will be demolished. After a voluntary demolition, the Special Exception status is lost, so the rezoning is required to develop a new fire station and parking lot.

The new fire station development would be located on both the subject property and the adjoining lot to the west, which is currently zoned DC-G District. McCormick Street, located between the two lots has been closed and will be abandoned as part of this development. To facilitate the development and consolidate the zoning for the property, the applicant has requested to rezone the subject property to DC-G District. A conceptual site plan for the new fire station is provided in Exhibit 8.

## **SITE DATA:**

The subject property is a single unplatted 1.33-acre parcel. The property is currently developed with a fire station. The property is currently zoned DR-1 District, which is a lower density residential district that permit primarily single-family and duplex dwelling along with other lower-intensity uses such as churches and daycares. Fire stations are classified as a community service use, which is not permitted in the DR-1 District.

The property has approximately 290 feet of frontage on Avenue A, which is classified as a collector street. Collector streets require at least 65 feet of right-of-way. The property also has approximately 224 feet of frontage on Underwood Street, which is a residential street and requires a least 50 feet of right-of-way.

The property has approximately 260 feet of frontage on McCormick Street. Ordinance 18-071, which was passed on February 6, 2018, provided for the indefinite closure of McCormick Street between Underwood Street and Avenue A.

#### **SURROUNDING ZONING AND LAND USES:**

<b>Northwest:</b> <ul style="list-style-type: none"> <li>• Zoning: Downtown Residential 2 (DR-2) District</li> <li>• Use: Single-family residences</li> </ul>	<b>North:</b> <ul style="list-style-type: none"> <li>• Zoning: DC-G District</li> <li>• Use: Under development for multi-family residential</li> </ul>	<b>Northeast:</b> <ul style="list-style-type: none"> <li>• Zoning: Downtown Residential 2 (DR-2) District</li> <li>• Use: Multi-family residential</li> </ul>
<b>West:</b> <ul style="list-style-type: none"> <li>• Zoning: DC-G District</li> <li>• Use: Fuel station and vacant property (formerly a hotel)</li> </ul>	<b>SUBJECT PROPERTY</b>	<b>East:</b> <ul style="list-style-type: none"> <li>• Zoning: DR-2 District</li> <li>• Use: Multi-family residential</li> </ul>
<b>Southwest:</b> <ul style="list-style-type: none"> <li>• Zoning: DC-G District</li> <li>• Use: Fuel station</li> </ul>	<b>South:</b> <ul style="list-style-type: none"> <li>• Zoning: DC-G District</li> <li>• Use: Fuel station</li> </ul>	<b>Southeast:</b> <ul style="list-style-type: none"> <li>• Zoning: DR-2 and DC-G Districts</li> <li>• Use: Multi-family residential and a fuel station</li> </ul>

#### **CONSIDERATIONS:**

1. Section 35.3.4.B of the DDC provides the following criteria for approval of rezoning request:

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

The Future Land Use designation for the subject property is Commercial. This designation applies to areas of commercial auto-oriented uses, especially community and regional shopping centers.

The Downtown Commercial General District conforms to this future land use designation. The DC-G District permits a variety of commercial and service uses at a relatively intensive scale in terms of lot coverage (85% permitted), building height (100 feet maximum), and no setbacks being required. This scale of development is appropriate within the Commercial designated areas, especially in close proximity to I-35E.

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

Water, sewer, and roadway access are available to the subject property. Both the subject property and the adjoining lot to the west have been developed and served by utilities previously. The redevelopment of these sites in combination is not expected to have any negative impact on public infrastructure.

McCormick Street has already been closed and will be abandoned as a part of the proposed redevelopment. The abandonment of this section of roadway is not expected to have any negative impact on surrounding properties, which all have frontage and access to either Avenue A, Underwood Street, or the I-35 service road already.

The proposed rezoning would facilitate the redevelopment of this property and the adjoining property with a new, larger fire station under a single set of zoning regulations. This will enhance public safety in this area of the City by facilitating easier access to a larger, updated fire station.

2. The request is for a rezoning of approximately 1.33 acres from DR-1 District to DC-G District to facilitate the development of a fire station. The existing Fire Station Number 3 is intended to be demolished and a new, larger fire station rebuilt on the subject property and an adjoining vacant lot to the west. As a part of the project, McCormick Street, which has been closed, will be formally abandoned.
3. A fire station currently exists on the subject property, so there would not be a new use introduced to the area. The proposed development of a new fire station is consistent with the existing mixed land-use pattern in this area. The consolidation of two parcels under a single zoning and as part of a single development will allow for expansion and improvement of the fire station property.

The new development will be required to comply with all of the site design criteria in the DDC. Consolidation of zoning across the entire property will facilitate this development under a single set of regulations.

**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, 14 notices were sent to property owners within 200 feet of the subject property, 71 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 case was originally noticed for the May 9, 2018 Planning and Zoning Commission meeting, but signs were not placed on the property in time for that agenda. As a result, the case was re-noticed for the May 23, 2018 meeting.