



Legislation Details (With Text)

**File #:** Z16-0009a    **Version:** 1    **Name:**

**Type:** Planning Case

**File created:** 8/11/2016    **In control:** City Council

**On agenda:** 9/20/2016    **Final action:**

**Title:** Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a rezoning request from Planned Development 138 (PD-138) District to Regional Center Commercial Neighborhood (RCC-N) District on approximately 3 acres, located on the east of I-35 W, approximately 710 feet north of Crawford Road; and 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 recommends approval (5-0). (Z16-0003).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Staff Analysis, 2. Exhibit 2 - Site Location\_Aerial Map, 3. Exhibit 3 - Zoning Map, 4. Exhibit 4 - Future Land Use Map, 5. Exhibit 5 - Preferred Growth Concept, 6. Exhibit 6 - Hunter Ranch Concept Plan, 7. Exhibit 7 - RCC-N District Permitted Uses, 8. Exhibit 8 - Notification Map, 9. Exhibit 9 - Presentation, 10. Exhibit 10 - Planning and Zoning Commission Meeting Minutes, 11. Exhibit 11 - Draft Ordinance

Date	Ver.	Action By	Action	Result
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**AGENDA INFORMATION SHEET**

**DEPARTMENT:** Department of Development Services

**ACM:** Jon Fortune

**DATE:** September 20, 2016

**SUBJECT**

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a rezoning request from Planned Development 138 (PD-138) District to Regional Center Commercial Neighborhood (RCC -N) District on approximately 3 acres, located on the east of I-35 W, approximately 710 feet north of Crawford Road; and 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 recommends approval (5-0). (Z16-0003).

**BACKGROUND**

The applicant, on behalf of the owner, Matt Macleod of the Castle Development Group, requests a rezoning from Planned Development 138 (PD-138) Hunter Ranch District to RCC-N District in order to develop the site with a hospital and medical offices. The proposed development is located at the northeast corner of I-35 W and Crawford Road, and includes a total of three adjacent parcels: the subject property, approximately 3.5 acres to the south which has a zoning designation of RCC-N District, and a small tract that is located in the

Extraterritorial Jurisdiction (ETJ). The parcel located in the ETJ is currently in the process of being annexed and will require an initial zoning in the near future.

A Concept Plan for PD-138 District, which included 920.4 acres, was approved in 1991 by Ordinance No. 1991-035. The intent was to create a business and industrial park that contained a mix of mutually compatible and supported uses. The Land Use Chart included with the Concept Plan identified the subject property as a 2.8 acre Business Park. The proposed concept was never realized, and in 2008, all of PD-138 District except for the subject property was rezoned as part of the Inspiration Master Planned Community (MPC). The subject property is the last remaining parcel of PD-138 District.

Medical facilities are permitted in PD-138 District; however, since a Detailed Plan for the site was never prepared, the applicant must either obtain Detailed Plan approval or rezone the site to a zoning district which permits hospitals and medical centers. In order to facilitate a logical and predictable zoning pattern and development, the applicant has opted to pursue a rezoning to RCC-N District to remain consistent between the proposed development and the property to the south.

The proposed RCC-N District is a logical extension of the adjacent RCC-N District, and the permitted uses and dimensional requirements are appropriate for property with frontage along I-35 W and surrounding area.

Per the Future Land Use Map in Denton Plan 2030, the subject property is designated as Low Density Residential. The request for RCC-N District does not conform to the Future Land Use Designation; however, during the review, staff analyzed the intent of Low Density Residential within the context of this request, and low-density, suburban-type development is unlikely for the property, given the potential nuisances from the adjacent I-35 W and lack of connectivity to nearby neighborhoods. A more likely development scenario would concentrate commercial development at the intersection of I-35W and Crawford Road (node), allowing the land uses to gradually transition from intense commercial and employment development near the freeway to moderate and low density residential development farther out.

Although RCC-N District does not meet the Future Land Use Designation, the request is supported by the Denton Plan 2030, as the permitted uses within RCC-N conform to the Preferred Growth Concept. According to the Plan, the Preferred Growth Concept indicates the community's preference for more compact and purposeful growth clustered around distinct locations, such as I-35 W and Crawford Road. The Preferred Growth for the area surrounding the subject property is moderate-density and mixed-use, including residential, commercial, and employment development, which supports the requested RCC-N District.

To comply with the public hearing notice requirements, 6 notices were sent to property owners within 200 feet of the subject property, 3 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.

## **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 (5-0).

The Development Review Committee recommends approval of this request.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

On August 10, 2016, the Planning and Zoning Commission recommended approval of the rezoning request (5-0).

**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. Staff Analysis
2. Site Location/Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Preferred Growth Concept
6. Hunter Ranch Concept Plan
7. RCC-N District Permitted Uses
8. Public Notification Map
9. Presentation
10. Planning and Zoning Commission Meeting Minutes
11. Draft Ordinance

Respectfully submitted:  
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