



Legislation Details (With Text)

**File #:** Z16-0029a    **Version:** 1    **Name:**

**Type:** Planning Case

**File created:** 3/10/2017    **In control:** City Council

**On agenda:** 3/21/2017    **Final action:**

**Title:** Hold a public hearing and consider adoption of an ordinance to rezone approximately 0.734 acres from a Neighborhood Residential 6 (NR-6) District to a Community Mixed Use General (CM-G) District and to rezone approximately 3.645 acres from a Neighborhood Residential Mixed Use (NRMU) District to a CM-G District. The subject property is generally located at the northeast corner of the intersection of Country Club Road and W. Hobson Lane, in the City of Denton, Denton County, Texas. (Z16-0029, CST Corner Store).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Staff Analysis, 2. Exhibit 2 - Site Location Map, 3. Exhibit 3 - Existing Zoning Map, 4. Exhibit 4 - Future Land Use Map, 5. Exhibit 5 - Zoning Change Map, 6. Exhibit 6 - Permitted Uses in NR-6, NRMU, and CM-G Districts, 7. Exhibit 7 - Presentation Slides, 8. Exhibit 8 - Public Notification Map and Responses, 9. Exhibit 9 - Planning and Zoning Commission Meeting Minutes, 10. Exhibit 10 - Draft Ordinance

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

**DEPARTMENT:** Department of Development Services

**CM:** Todd Hileman

**DATE:** March 21, 2017

**SUBJECT**

Hold a public hearing and consider adoption of an ordinance to rezone approximately 0.734 acres from a Neighborhood Residential 6 (NR-6) District to a Community Mixed Use General (CM-G) District and to rezone approximately 3.645 acres from a Neighborhood Residential Mixed Use (NRMU) District to a CM-G District. The subject property is generally located at the northeast corner of the intersection of Country Club Road and W. Hobson Lane, in the City of Denton, Denton County, Texas. (Z16-0029, CST Corner Store).

**BACKGROUND**

The subject property consists of portions of two unplatted tracts of land located at the northeast corner of the intersection of Country Club Road and W. Hobson Lane along Fort Worth Drive. The property totals 4.379 acres, of which 0.734 acres is zoned NR-6 District and 3.645 acres are zoned NRMU District. The applicant is seeking to rezone portions the subject tract to CM-G District in order to develop a convenience store and fuel station.

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. The schedule of permitted uses is attached for reference.

The subject property's prominent location at a hard corner with frontage on three arterial roadways and the proximity of residential uses creates a synergy at this location that makes the CM-G District a logical zoning for this property. The surrounding properties have a wide variety of uses ranging from commercial and industrial to single- and multi-family. Fort Worth Drive and Country Club Road are both maintained by the Texas Department of Transportation (TXDOT); these roads are both in the process of being improved by TXDOT. Utilities are currently being relocated, and work is expected to begin on these two roads by the summer of 2017. Hobson Lane is considered to be secondary arterial roadway with a full right-of-way width of 110 feet. The applicant would not be required to make improvements to the TXDOT roads, and roadway impact fees for Hobson Lane would be assessed during platting.

However, there is no immediate continuity between the requested zoning designation and the surrounding districts. The requested rezoning would result in three different zoning designations for the southern tract of land, leaving approximately two acres of property zoned NRMU District between a CM-G District and a NR-6 District. To prevent the creation of an isolated pocket of NRMU District, the applicant has also submitted a request to rezone the remaining area of NRMU District to CM-G District to allow for more cohesive development of this property in the future.

The future land use designation of the property is "Community Mixed Use", which is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complimentary. The proposed rezoning is consistent with the Future Land Use designation of Community Mixed Use.

### **OPTIONS**

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

### **RECOMMENDATION**

The Development Review Committee recommends approval of this request.

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

On February 22, 2017, the Planning and Zoning Commission recommended approval of the rezoning request (4-1).

### **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 Map
3. Existing Zoning Map
4. Future Land Use Map
5. Zoning Change Map
6. Permitted Uses in NR-6, NRMU, and CM-G Districts
7. Presentation Slides
8. Public Notification Map and Responses
9. Planning and Zoning Commission Meeting Minutes
10. Draft Ordinance

Respectfully submitted:  
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