



Legislation Details (With Text)

File #: Z14-0012 **Version:** 1 **Name:**

Type: Ordinance

File created: 8/19/2014 **In control:** City Council

On agenda: 9/16/2014 **Final action:**

Title: Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, providing for an initial zoning and land use classification of Neighborhood Residential 6 (NR-6) on approximately 34.73 acres of land located on the south side of Edwards Road, approximately 500 feet west of Swisher Road, in the City of Denton, Denton County, Texas; and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability, and an effective date (Z14-0012). The Planning and Zoning Commission recommends approval (6-0).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Staff Analysis, 2. Exhibit 2 - Location Map, 3. Exhibit 3 - Zoning Map Existing, 4. Exhibit 4 - Zoning Map Proposed, 5. Exhibit 5 - ESA Map, 6. Exhibit 6 - Applicant Narrative, 7. Exhibit 7 - Notification Information map, 8. Exhibit 8 - Site Photos, 9. Exhibit 9 - Post Oak Road Map, 10. Exhibit 10 - August 13, 2014, P & Z Minutes, 11. Exhibit 11 - Draft Ordinance

Date	Ver.	Action By	Action	Result
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Agenda Information Sheet

DEPARTMENT: Planning and Development

CM/ ACM: John Cabrales, Jr.

Date: September 16, 2014

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, providing for an initial zoning and land use classification of Neighborhood Residential 6 (NR-6) on approximately 34.73 acres of land located on the south side of Edwards Road, approximately 500 feet west of Swisher Road, in the City of Denton, Denton County, Texas; and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof, severability, and an effective date (Z14-0012). The Planning and Zoning Commission recommends approval (6-0).

BACKGROUND

Upon annexation into the City of Denton in 2013, as part of DH-9, the subject property was assigned a default zoning classification of RD-5. This is a place holder until an official zoning district is approved by the City Council at the request of the property owner. Therefore, the applicant is requesting an initial zoning district of NR-6 to facilitate the development of Villages of Carmel Phase 5.

Boundaries of the zoning request include Edwards Road to the north, Villages of Carmel 2C to the west, and the future alignment of Post Oak Boulevard to the east. Development of the site will require improvements to Edwards Road and right-of-way dedication for the future Post Oak Boulevard, a north-south primary arterial on the Mobility Plan that would link this part of the city to I-35E. A separate rezoning request for the property to the south has also been submitted to facilitate Villages of Carmel Phase 4. This rezoning request is still currently under review by the Development Review Committee, however it is anticipated development of these two Phases together will require complete dedication of the entire Post Oak Boulevard right-of-way between Edwards Road and Pockrus Page Road. The neighborhood has expressed a strong desire to see Post Oak Boulevard constructed in this area in order to relieve cut-through traffic on Camino Real Trail to the west and Swisher Road to east.

Staff sent 17 certified notices of the public hearing to property owners within 200 feet of the subject property and 67 courtesy notices to residents within 500 feet of the property. The applicant also held a neighborhood meeting on June 12, 2014. The discussion at this meeting primarily focused on the alignment and construction timetable of Post Oak Boulevard. As of this writing, staff has received one response in favor and one response in opposition to the request.

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 (6-0).

The Development Review Committee recommends **approval** of this request.

ESTIMATED SCHEDULE OF PROJECT

Not Applicable.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On April 6, 2010, the City Council approved a 3-Year Annexation Plan for certain properties (DH-9). The subject property was part of DH-9.

On April 16, 2013, by Ordinance 2013-096, the City Council approved annexation of the property with a default zoning classification of Rural Residential (RD-5).

On August 13, 2014, the Planning and Zoning Commission recommend approval of an initial zoning of NR-6.

FISCAL INFORMATION

Not Applicable.

BID INFORMATION

Not Applicable.

EXHIBITS

1. Staff Analysis
2. Site Location/Aerial Map
3. Zoning Map - Existing
4. Zoning Map - Proposed
5. FEMA/ESA Map
6. Letter From Applicant
7. Notification Information Map
8. Site Photos
9. Post Oak Road Map
10. August 13, 2014 P&Z Minutes
11. Draft Ordinance

Respectfully submitted:
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Director, Planning & Development

Prepared by:
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