



Legislation Details (With Text)

File #: Z15-0029c **Version:** 1 **Name:**

Type: Ordinance

File created: 3/18/2016 **In control:** City Council

On agenda: 4/5/2016 **Final action:**

Title: Continue a public hearing and consider adoption of an ordinance regarding amending Subchapter 35.7.5, the Fry Street Overlay District, to create a new sub district and development standards for a mixed use building on approximately 1.7 acres. The subject property is generally located between Oak Street and Hickory Street and 125 feet west of Fry Street. The Planning and Zoning Commission recommends denial (6-1). A supermajority vote by Council is required for approval. The applicant has requested that this item be withdrawn because they are proposing additional amendments.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Analysis, 2. Site Location, 3. Zoning Map, 4. Future Land Use Map, 5. Draft Fry Street Overlay District Amendment, 6. Fry Street Overlay District Redline, 7. Project Narrative, 8. Public Notification Map, 9. January 27, 2016 Planning and Zoning Commission Minutes

Date	Ver.	Action By	Action	Result
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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Jon Fortune

DATE: April 5, 2016

SUBJECT

Continue a public hearing and consider adoption of an ordinance regarding amending Subchapter 35.7.5, the Fry Street Overlay District, to create a new sub district and development standards for a mixed use building on approximately 1.7 acres. The subject property is generally located between Oak Street and Hickory Street and 125 feet west of Fry Street. The Planning and Zoning Commission recommends denial (6-1). **A supermajority vote by Council is required for approval.** The applicant has requested that this item be withdrawn because they are proposing additional amendments.

BACKGROUND

The applicant is requesting an amendment to Subchapter 35.7.5, Fry Street Overlay District that would establish a new subarea within the Fry Street Overlay District on approximately 1.7 acres between Fry Street and Avenue B. The proposed subarea would accommodate a five-story mixed use development. Based on the information provided by the applicant, the project would be 58 feet in height, include retail uses on the ground floor and multifamily uses above, a total of 83 dwelling units (300 bedrooms), and 222 off-street parking spaces.

The Fry Street Overlay District is currently broken into two subareas, A and B. The U Center at Fry Street is located in subarea B which was an amendment to the Fry Street Overlay District approved by City Council in 2010 to accommodate that development's density and height. The proposed development is located within subarea A. The proposed development exceeds the maximum height and does not meet the parking requirements of subarea A.

The following is a summary of development regulations as stated in DDC 35.7.5.2 and the proposed changes for Subarea B-1:

	<u>Subarea A</u>	<u>Subarea B</u>	<u>Proposed Subarea B-1</u>
Maximum Building Height:	3 Stories, 45'	4 Stories, 55'	5 Stories, 58'
Maximum Density (units/acre):	Minimum Unit Size*	72.5	88.2
Parking	**	**	**

** Permitted Density is based on a minimum unit size allowed by applicable development regulations (height, lot coverage, landscape area, setbacks)*

***Subarea A and B follow the parking requirements of the Fry Street Overlay District. The amendment to Subarea B did not include a reduction in parking. Subarea B-1 is asking for units with 2 or more bedrooms to require .75 spaces in parking whereas Subarea A and B require 1 space for units with 2 or more bedrooms. No amendments will be made to other parking ratios in the Fry Street Overlay District.*

In an effort to alleviate these constraints, the applicant is requesting the creation of subarea B-1, to raise the maximum height, reduce the required parking spaces, and establish the proposed density.

On February 16, 2016, the City Council open the public hearing and continued this item to March 1, 2016. At the meeting no citizens spoke regarding the proposed amendment.

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 denial of this request (6-1).

The Development Review Committee recommends denial of this request.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On February 16, 2016, the City Council open the public hearing and continued this item to March 1, 2016.

On March 1, 2016, the City Council open the public hearing and continued this item to April 5, 2016.

On January 27, 2016, the Planning and Zoning Commission recommended denial of the rezoning request (6-1).

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
3. Zoning Map
4. Future Land Use Map
5. Draft Fry Street Overlay District Amendment
6. Fry Street Overlay District Redline
7. Project Narrative
8. Public Notification Map
9. January 27, 2016 Planning and Zoning Commission Minutes

Respectfully submitted:
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Prepared by:
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