



Legislation Details (With Text)

File #: Z16-0009 **Version:** 1 **Name:**
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On agenda: 8/10/2016 **Final action:**
Title: Hold a public hearing and consider making a recommendation to City Council regarding a rezoning request from Planned Development 138 (PD-138) Hunter Ranch District to Regional Center Commercial Neighborhood (RCC-N) District on approximately 3 acres, located east of I-35W, approximately 710 feet north of Crawford Road. (Z16-0009, Ranch View Specialty Hospital, Julie Wyatt)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Aerial Map, 2. Zoning Map, 3. Future Land Use Map, 4. Preferred Growth Concept, 5. Hunter Ranch Concept Plan, 6. RCC-N Permitted Uses, 7. Notification Map

Date	Ver.	Action By	Action	Result
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Planning Report

Z16-0009 / Ranch View Specialty Hospital

City Council District 3

Planning & Zoning Commission

August 10, 2016

REQUEST:

Hold a public hearing and consider making a recommendation to City Council regarding a rezoning request from Planned Development 138 (PD-138) Hunter Ranch District to Regional Center Commercial Neighborhood (RCC-N) District on approximately 3 acres, located east of I-35W, approximately 710 feet north of Crawford Road. (Z16-0009, Ranch View Specialty Hospital, Julie Wyatt)

OWNER:

Matt Macleod, Castle Development Group

APPLICANT:

Konstantine Bakintas, BHB Engineering & Surveying

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 in order to develop the site with a hospital and medical offices. The proposed development will include total of three adjacent parcels: the subject property, approximately 3.5 acres to the south, 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.

SITE DATA:

The subject property is located east of I-35W, approximately 710 feet north of Crawford Road, a Primary Arterial. The approximately 3 acre parcel includes 770 linear feet of frontage along I35W. Existing trees and a possible Environmentally Sensitive Area (ESA) water-related habitat on the site may restrict development unless the ESA is removed after a field assessment or an Alternative Environmentally Sensitive Area Plan is approved by City Council.

USE OF PROPERTY UNDER CURRENT ZONING:

PD-138 District is intended to encourage commercial and industrial uses to establish an economic base in southwest Denton. Permitted uses include manufacturing, distribution, commercial, hospitality, office, retail and service, government facilities, medical facilities, recreational, and farm and ranch. Development standards allow a maximum building height of 20 stories and maximum lot coverage of 50 percent for office and commercial uses and maximum building height of 45 feet and maximum lot coverage of 50 percent for institutional development.

SURROUNDING ZONING AND LAND USES:

North: Property to the north across I-35W is included in the Inspiration (Hunter Ranch) Master Planned Community (MPC). The Development Plan Map identifies the proposed zoning designation in this general area as NR-15 District, a mixed-use district which allows multi-family dwellings and smaller-scale retail, restaurant, and office development. It is currently undeveloped.

East: Property to the east is zoned as Planned Development 174 (PD-174) Country Lakes West District, a single-family residential development. Per the approved Detailed Plan, the area is intended to be open space. It is undeveloped.

South: Property to the south is zoned at RCC-N District and is undeveloped.

West: Property to the west across I-35W is included in the Inspiration (Hunter Ranch) Master Planned Community (MPC). The Development Plan Map identifies the proposed zoning designation in this general area as NR-15 District. It is currently undeveloped. Property further west is zoned at Regional Center Residential 1 (RCR-1) District and is undeveloped.

COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:

The RCC-N district is the second most intense zoning district within the Regional Mixed Use future land category. It is intended to promote mixed use development with an urban character at a slightly smaller scale than Regional Center Commercial Downtown (RCC-D), which is one of the most intense districts in the Denton Development Code. Moderate to high density residential uses with a maximum density of 80 units per acre are permitted including townhomes and apartments associated with a mixed-use development. Most

commercial uses and institutional uses are permitted, whereas most industrial uses are either limited or not permitted. Refer to the attached list of permitted uses in the RCC-N district for further detail.

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 the surrounding area and freeway access. The abutting property to the east is dedicated as open space in the approved Detailed Plan for PD-174 District. It is also encumbered by floodplain and unlikely to develop, reducing the potential for incompatible adjacent uses. Adjacent property located in the ETJ is not developed; however, since it is not located within the City of Denton, it is not required to comply with the City's zoning regulations.

COMPREHENSIVE PLAN:

Per the Future Land Use Map in Denton Plan 2030, the subject property is designated as Low Density Residential. Low Density Residential includes predominately single-family neighborhoods, with lot sizes ranging from one acre or more in rural fringe areas up to four units per acre gross density throughout many of the City's suburban subdivisions.

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 determined that it is not an appropriate designation at this location. In particular, the subject property, together with the abutting properties to the south, comprises a total land area of approximately 6.5 acres situated between a floodplain, I-35W, and Crawford Road. Low-density, suburban-type development is unlikely for the property, given the small amount of land, potential nuisances from adjacent freeway, lack of connectivity to nearby neighborhoods due to the floodplain, and the typical land use pattern of locating commercial uses adjacent to high-traffic roads.

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. As part of the foundation for the Denton Plan 2030, the community provided preferences for areas of new development and more intense development. These preferences became the basis for the Preferred Growth Concept map and the Future Land Use Map (FLUM). While the requested RCC-N District is in conflict with the Low Density Residential Future Land Use Designation identified in the FLUM, it is supported by 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.

Therefore, 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. As implementation of the Denton Plan 2030 proceeds, instances where the Future Land Use designation was inappropriately applied will be corrected using the comprehensive plan amendment procedure.

CONSIDERATIONS:

1. The applicant has requested to rezone the property to RCC-N District and has indicated that the site would be developed with a hospital and medical offices.
2. The surrounding area is undeveloped; however, continued growth at Robson Ranch and anticipated development in the Hunter Ranch MPC will induce demand for commercial and office services, including medical facilities. Clustering commercial and office development near the intersection of I-

35W and Crawford Road will provide highway access and connectivity for future development while allowing for an adequate transition to existing and proposed low-density residential development.

3. Per Section 35.3.4.B of the Denton Development Code, the following criteria shall be considered for a rezoning request:

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

The proposed rezoning does not conform to the Future Land Use Designation of Low Density Residential; however, staff considers the designation inappropriate due to the subject property's location near the intersection of I-35W and Crawford Road. If the property, including the abutting parcels, were zoned in accordance with the Future Land Use designation, approximately 26 single-family homes could be built. Given the site's location adjacent to I-35W, this is unlikely. The Preferred Growth Concept is a more applicable metric, accounting for the visibility and access that the adjacent road network provides. As such, the Preferred Growth Concept for the area is moderate-density mixed-use, which is consistent with the moderate density housing and commercial uses permitted in the requested RCC-N District.

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

There is adequate capacity in the existing infrastructure to support the proposal.

4. The uses permitted in RCC-N are appropriate for property adjacent to I-35W and rezoning the subject property to RCC-N is a logical extension of the existing zoning pattern.

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.

OPTIONS:

1. Recommend approval as submitted.
2. Recommend approval subject to conditions.
3. Recommend denial.
4. Table the item.

PUBLIC NOTIFICATION:

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.

PROJECT TIMELINE:

Application Received:	May 10, 2016
1 st Submittal Sent to DRC Members:	May 11, 2016
Comments Released to Applicant:	May 27, 2016
Business Days under DRC Review:	10
Business Day out to Applicant:	0
Total Business Days:	10

EXHIBITS:

- Aerial Map

- Zoning Map
- Future Land Use Map
- Preferred Growth Concept
- Hunter Ranch Concept Plan
- RCC-N Permitted Uses
- Notification Map

Respectfully submitted:
Shandrian Jarvis, AICP
Development Review Committee Administrator

Prepared by:
Julie Wyatt
Senior Planner