



## Legislation Details (With Text)

**File #:** ADP16-0013 **Version:** 1 **Name:**  
**Type:** Planning and Zoning Commission  
**File created:** 9/13/2016 **In control:** Planning and Zoning Commission  
**On agenda:** 9/28/2016 **Final action:**  
**Title:** Consider a request for an Alternative Development Plan for the construction of a 19,054 square foot grocery store. The subject property is located on the southwest corner of West University Drive and Ector Street within a Neighborhood Residential Mixed Use (NRMU) District. (ADP16-0013, Aldi Food Market, Julie Wyatt)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Aerial Map, 2. Zoning Map, 3. Site Plan, 4. Landscape Plan, 5. Elevation

Date	Ver.	Action By	Action	Result
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### Planning Report

ADP16-0013 / Aldi Food Market  
City Council District 3  
Planning & Zoning Commission  
September 28, 2016

**REQUEST:**

Consider a request for an Alternative Development Plan for the construction of a 19,054 square foot grocery store. The subject property is located on the southwest corner of West University Drive and Ector Street within a Neighborhood Residential Mixed Use (NRMU) District. (ADP16-0013, Aldi Food Market, Julie Wyatt)

**OWNER:**

Extra Property Holdings, LLC

**APPLICANT:**

Bryan Burger of Burger Engineering

**BACKGROUND:**

The applicant is requesting an Alternative Development Plan (ADP) to deviate from the design criteria within Subchapter 13 of the Denton Development Code (DDC) relating to building and parking orientation. Per Section 35.13.5 of the DDC, an ADP provides the option to address the design criteria of Subchapter 13 of the DDC through a discretionary site plan review process which includes review and consideration by the Planning and Zoning Commission.

The subject property is located in a Neighborhood Residential Mixed Use (NRMU) District and the proposed grocery store is permitted within this district. The site is currently undeveloped, however, the owner is proposing to construct a 19,054 square foot grocery store that will be situated toward the rear of the property

with a total of 72 parking that will be located between the building and the right of way. The Site Plan, Landscape Plan, and Elevation have been attached for reference.

#### **SITE DATA:**

The subject property has a square shape with approximately 300 feet of frontage on both West University and Ector Street. Access will be provided to the site from West University to the north and Ector to the east. West University Drive is classified as a Primary Arterial with 120 feet of right-of-way. Ector Street is classified as a Collector Street with 100 feet of right-of-way.

#### **CONSIDERATIONS:**

1. The applicant is requesting an ADP to deviate from the site design requirements that apply to commercial development in pedestrian oriented districts, which are found in Subchapter 35.13 of the DDC. The intent of the building orientation and parking location requirements for pedestrian oriented districts is to minimize standard strip development by bringing buildings closer to the street and to promote a mixed-use, walkable urban form, as stated in the Denton Plan 2030. Specific proposed deviations include the following:
  - a. Section 35.13.13.4.A.3 requires that at least 60% of the street frontage shall have buildings within ten feet of the front property line. If approved, the proposed building would be located toward the rear of the subject property, set back approximately 135 feet from the front property line.
  - b. Section 35.13.13.4.A.6 requires that developments shall have a minimum Floor Area Ratio (FAR) of four-tenths (0.4). FAR is used to measure density of a site. It is calculated by dividing the total floor area of a structure by the total area of the lot on which it is located. Plazas and pedestrian areas shall count as floor area for the purpose of meeting the minimum floor area ratio. The proposed development has a Floor Area Ratio of 0.238.
  - c. Section 35.13.13.4.A.10 requires that parking areas shall be located behind buildings or on one or both sides. The proposed parking area for the development is located toward the front of the property, between the building and the right of way.
  - d. Section 35.13.13.4.C.2 requires that a building shall be setback not more than fifteen (15) feet from the right-of-way unless the area is used for pedestrian activities such as plazas or outside eating areas. The proposed building is situated toward the rear of the subject property.
2. The goal of an ADP is to achieve a high quality development that meets the design criteria outlined in Subchapter 13. The comprehensive site design package is comprised of the following:
  - a. Marked pedestrian connections within the parking area;
  - b. An enhanced Type C buffer between the proposed commercial development and property to the south that includes one single-family dwelling and undeveloped commercial property. At minimum, the Type C buffer will include a 15-foot planted strip with 6 evergreen and deciduous trees and 25 shrubs per 100 linear feet. If the property were to develop according to the regulation, it would result in the planting of 16 trees and 68 shrubs on site. As proposed, the 15-foot buffer will included 10 large evergreen trees, 21 small evergreen trees, and 80 shrubs.
  - c. An additional 4,697 square feet of landscape area over the 17,940 required;
  - d. An additional 6,349 square feet of tree canopy provided over the 35,886 square feet required;
  - e. Parking lot planting islands and end-caps to include one large tree as required, in addition to enhanced landscaping with a variety of low water use shrubs
  - f. Enhanced parking lot screening on Ector Street, including the required trees, a hedgerow, and ground cover

- g. A restriction that prohibits ground signs on Ector Street
- h. Screened cart storage with 3'6" masonry walls
- i. Location of the loading area at the rear of the property, situated below grade and screened with an 8' wall.

3. The proposed ADP satisfies the Criteria for Approval for an ADP, which identifies the following goals and objectives to be met, and establishes the parameters by which the proposal will be judged.

- a. Preserve Existing Neighborhoods.

*The enhanced 15-foot, Type C Buffer may increase compatibility between the proposed development and the neighborhood to the south by providing more dense vegetation to mitigate nuisances associated with commercial development, including light and noise.*

- b. Assure quality development that fits in with the character of Denton.

*The proposed deviations are not requested to lower design standards, but to provide a quality project that meets the character of the West University Drive commercial development. The proposed additional landscaping, screening, and tree canopy will soften the transition between the commercial center on West University Drive and the single-family residential neighborhoods to the south.*

- c. Focus new development to activity centers to curb strip development and urban sprawl.

*The proposed development is located within the Infill boundary on an existing road network, providing necessary retail development near established residential and commercial areas.*

- d. Ensure that infrastructure is capable of accommodating development prior to the development occurring.

*The subject property was originally platted as Lots 1 and 2, Block 1, of the Roberts Addition. The infrastructure requirements for this development were reviewed and approved as part of a replat approved August 16, 2016.*

- e. Ensure that the developer's alternative proposal results overall in a high quality development meeting the intent of the design standards in this Subchapter.

*The enhanced landscaping proposed as a part of the comprehensive site design package defines the right of way and creates visual interest for pedestrians by providing additional trees along the street and plants of varying height, color, and texture interspersed throughout the site.*

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the ADP, as it addresses the Criteria for Approval of an ADP and meets the goals and objectives established for an ADP with the following conditions:

The proposed development must substantially conform to the attached Site Plan, Landscape Plan, and Elevations as submitted, including:

- a. Marked pedestrian connections within the parking area
- b. An enhanced Type C buffer between the proposed commercial development and residential

- neighborhood to the south, including 10 large evergreen trees, 21 small evergreen trees, and 80 shrubs
- c. An additional 4,697 square feet of landscape area over the 17,940 required.
  - d. An additional 6,349 square feet of tree canopy provided over the 35,886 square feet required
  - e. Parking lot planting islands and end-caps that include one large tree as required in addition to enhanced landscaping with a variety of low water use shrubs
  - f. Enhanced parking lot screening on Ector Street, including the required trees, a hedgerow, and ground cover
  - g. No ground signs on Ector Street
  - h. Screened cart storage with 3'6" masonry walls
  - i. The loading area located at the rear of the property must be situated below grade and screened with an 8' wall.

**OPTIONS:**

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

**PROJECT TIMELINE:**

Application Received:	June 13, 2016
1 <sup>st</sup> Submittal Sent to DRC Members:	June 16, 2016
Comments Released to Applicant:	June 31, 2016
2 <sup>nd</sup> Submittal Sent to DRC Members:	July 28, 2016
Comments Released to Applicant:	August 12, 2016
Business Days under DRC Review:	22
Business Day out to Applicant:	20
Total Business Days:	44

**EXHIBITS:**

- Aerial Map
- Zoning Map
- Site Plan
- Landscape Plan
- Elevation

Respectfully submitted:  
Shandrian Jarvis, AICP  
Development Review Committee Administrator

Prepared by:  
Julie Wyatt  
Senior Planner