



## Legislation Text

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**File #:** CA14-0003, **Version:** 1

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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 a comprehensive plan amendment from a "Regional Mixed Use Center" future land use designation to an "Industrial Center" future land use designation on approximately 2.95 acres of land generally located on the west side of Worthington Drive, north of Barcelona Street and south of Schuyler Street being Lot 3, Block A of the Hull Addition; and providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission recommends approval (5-2). (CA14-0003)

### **BACKGROUND**

The applicant is proposing to amend the Future Land Use designation of approximately 2.95 acres from Regional Mixed Use Center to Industrial Center. The request is being considered concurrently with two other applications, a rezoning request (Z14-0014) and a Specific Use Permit (S14-0004). All three requests are proposed to allow Edsco Fasteners to begin hot dip galvanization at their current location at 2200 Worthington Drive. Galvanization protects the steel from corrosion by forming an alloy coating. Currently, Edsco Fasteners trucks their products off-site for galvanization. Having hot dip galvanization abilities on-site would save time and money for their operations.

Edsco Fasteners has been located at the subject property since 2006 and is a special exception. The property was previously zoned Light Manufacturing and manufacturing uses have occupied the site since it was developed in 1996. Edsco now desires to add hot dip galvanization to their operations. The galvanization process requires dipping of metal into a variety of baths containing raw materials. First, the steel object is dipped into a degreasing or caustic cleaning solution to remove organic contaminants such as dirt. Second, the steel is dipped into a heated acid or sand blasted to remove any rust. Third, the metal is dipped into a zinc ammonium solution to remove remaining oxides and protect the steel from further oxides prior to the galvanization. Finally, the steel is dipping into a kettle of molten zinc heated to 815-850 degrees. The zinc, even when pre-processed into bricks and melted, is considered a raw material, see Exhibit 5 - Hot Dip Galvanization Process Summary.

Staff has met with the applicant on several occasions to discuss the use and determined this to be a heavy manufacturing use. The property has a special exception for light manufacturing uses; however, heavy manufacturing uses are not permitted in the current zoning district and were not permitted in the previous Light Manufacturing zoning district. Edsco appealed staff's determination that hot dip galvanization is a heavy

manufacturing use to the Zoning Board of Adjustment, ZBA14-0002. On April 28, 2014 the Zoning Board of Adjustment voted 5-2 that hot dip galvanization is a light manufacturing use, however, per the Denton Development Code (DDC), "A concurring vote of six (6) members of the Board shall be necessary to reverse an administrative decision of the staff, or to approve an application on any matter upon which the Board is required to act under this Chapter." Hot dip galvanization is considered a heavy manufacturing use.

Staff has reviewed this request against the criteria listed in Section 35.3.3 of the Denton Development Code for amendments to The Denton Plan. Staff finds this request inconsistent with the code criteria and the goals of The Denton Plan. The vision for this area is a regional center and the area has several regional uses, including hotels. Amending the Future Land Use designation may slow or disrupt development of this area in line with The Denton Plan.

Notification of the comprehensive plan amendment request (CA14-003), rezoning request (Z14-0014), and SUP request (S14-0004) were sent out together on August 8, 2014. Notice was published in the Denton Record Chronicle on August 10, 2014 and again on August 31, 2014. As of the writing of this staff report, two responses have been received, one in favor of the request and one neutral to the request. The City Manager has provided authorization for this case to move forward in advance of the general schedule, see Exhibit 9.

### **OPTIONS**

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

### **RECOMMENDATION**

The Development Review Committee recommends **denial** of the proposed amendment to the Comprehensive Plan. The comprehensive plan amendment request is not compatible with the Comprehensive Plan and does not meet the criteria listed in the Denton Development Code.

The Planning and Zoning Commission voted 5-2 at their August 27, 2014 meeting to recommend **approval** of CA14-0003.

### **ESTIMATED SCHEDULE OF PROJECT**

Not applicable.

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

CA14-0003, Z14-0014, and S14-0004 Planning and Zoning Commission, August 27, 2014, Recommend Approval

### **FISCAL INFORMATION**

None at this time.

### **BID INFORMATION**

Not Applicable.

### **EXHIBITS**

1. Staff Analysis

2. Site Location/Aerial Map
3. Existing Future Land Use Map
4. Proposed Future Land Use Map
5. Hot Dip Galvanization Process Summary
6. Letter from the Applicant
7. Notification Map and Responses
8. Site Photos
9. City Manager Authorization
10. August 27, 2014, Planning and Zoning Commission Meeting Minutes (Draft)
11. Ordinance

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