



## Legislation Text

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**File #:** Z16-0027, **Version:** 1

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### **Planning Report**

**Z16-0027 / The Standard/The Hudson at MedPark**

**City Council District 1**

**Planning & Zoning Commission**

**February 22, 2017**

### **REQUEST:**

Hold a public hearing and consider a request by Richard and Nancy Greb and Kevin Nelms to rezone approximately 20.49 acres from a Regional Center Commercial Downtown (RCC-D) District to a Regional Center Residential 2 (RCR-2) District. The property is generally located at 2100 South Mayhill Road and at the end of Hudsonwood Drive in the City of Denton, Denton County, Texas. (Z16-0027, The Standard/The Hudson at Medpark, Hayley Zagurski).

### **OWNER:**

Richard and Nancy Greb and Kevin Nelms

### **APPLICANT:**

J. Brandon Hancock, Ojala Holdings

### **BACKGROUND:**

The subject tract is located northwest of the Mayhill Road / Colorado Boulevard intersection. It comprises the westernmost area of a larger parent tract, located at the terminus of Hudsonwood Drive, and is approximately 20.49 acres. The City purchased property just east of the subject tract as part of the Mayhill Road extension. The subject property overlaps into this area currently owned by the City, but a proposal to return this property to the original owner is scheduled to be considered by City Council on February 21, 2017.

Once the real estate transaction is complete, the applicant intends to develop the subject tract for multi-family use, pending approval of both a rezoning request and a Specific Use Permit (SUP) for the site. The applicant is seeking to rezone the property to RCR-2 District due to limitations under the current RCC-D District that only allow the multi-family use as part of a mixed-use development. The applicant has indicated an intent to subdivide the subject property into three lots and to extend Hudsonwood Drive towards Mayhill Road. Multi-family development would be located on both the north and south side of Hudsonwood Drive. A third lot would also be located on the south side of Hudsonwood Drive and would be developed with a detention pond that would serve the other two lots.

### **SITE DATA:**

The subject property is currently developed on the northern side with multiple accessory buildings associated with a single-family residence located on the remainder of the larger parent tract. The larger parent tract of land is unplatted and is developed with a single-family residence. Currently Hudsonwood Drive and Somerset Road are stubbed out to the western and southern boundaries of the subject property, respectively. The applicant intends to extend Hudsonwood Drive, which is designated as a future collector street, across the subject

property towards Mayhill Road.

**USE OF PROPERTY UNDER CURRENT ZONING:**

The RCC-D District is one of the most intense zoning districts in the Regional Mixed Use future land use category and the City of Denton as a whole. It is intended to promote urban mixed-use development and businesses with a regional draw to attract visitors to the city. Moderate to high density residential uses, with a maximum density of 100 units per acre, are permitted including townhomes and apartments associated with a mixed-use development. Commercial and institutional uses are permitted with the exception of the sale of agricultural products grown on site, motels, equestrian facilities, outdoor recreation, sexually oriented businesses, elementary schools, and cemeteries. Most industrial uses are either limited or not permitted. The schedule of permitted uses in the RCC-D District is provided for reference.

**SURROUNDING ZONING AND LAND USES:**

North: Property to the north is developed with a single-family residence and is located in a Regional Center Residential 1 (RCR-1) District.

East: The remainder of the larger parent tract of land is located to the east. A single-family residence is located on the property, which is zoned RCC-D District. A portion of the parent tract was purchased by the City of Denton for future realignment of Mayhill Road; however, pending approval of an ownership transfer scheduled for the February 21, 2017 City Council meeting this land will once again be a part of the larger parent tract.

South: A multi-family development, Providence Place II, and undeveloped property are located to the south of the subject property in an RCR-1 District.

West: The Providence Place II multi-family development is located to the west of the subject property and is zoned RCR-1 District.

**COMPATABILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES:**

The purpose of Regional Mixed Use Centers, of which RCR-2 District and RCC-D District are a part, is to create centers of activity including shopping, services, recreation, employment, and institutional facilities supported by and serving an entire region. The RCR-2 District is intended to promote high-density residential development with a mixture of neighborhood services. Detached single-family development is not permitted; however, attached single-family development is permitted by right and multi-family development is permitted with approval of an SUP, small-area plan, or as part of a mixed-use development. Commercial uses such as retail, restaurant, and professional services are permitted with limitations. Churches, daycares, parks, and elderly housing are permitted by right, and veterinary clinics are permitted with an approved SUP. A schedule of permitted uses in the RCR-2 District is attached for reference.

The requested RCR-2 District is within the same Regional Mixed Use Centers family of zoning districts as the other zoning designations found in the surrounding area. Immediately adjoining the subject property area RCC-D District and RCR-1 District. The Regional Center Commercial Neighborhood (RCC-N) Designation is also found in this general area. RCR-2 District would be appropriate for the subject property as a continuation of this existing family of zoning districts. The less intensive uses permitted within the RCR-2 District would be better suited to the location of the subject property given its substantial offset from the arterial road Mayhill Road along a collector street.

**COMPREHENSIVE PLAN:**

“Regional Mixed Use” applies to areas that serve as regional destinations within Denton. Development may

include moderate and high density residential, commercial, office, entertainment, and other uses except industrial, at the highest levels of scale and density within the city. Unique development standards are proposed to create the walkable urban character and day and nighttime activity of an urban center. This designation is located primarily along I-35 interchanges and primary arterials to encourage the greatest regional accessibility. Future development in Regional Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase their regional draw, accommodate greater connectivity and mobility options, and create a sense of place.

Development criteria of the Regional Mixed Use future land use designation require that:

- a) A regional activity center is considerably larger and more diverse in its land uses than any other activity center. It includes vertically integrated uses where different use may occur on each floor of the building.
- b) Allowable uses may include national retailers, employment, restaurants and entertainment venues, and high-density housing.
- c) Uses should create destinations and augment the regional draw and image of Denton.
- d) Commercial uses should be programmed to serve a regional market and to be compatible with adjacent land uses.
- e) Diverse uses should be located in close proximity to one another so that all uses are accessible from a single stop or by walking or bicycling.
- f) Development should be sited accessible to transit services.
- g) Places of worship, schools, and parks and open space are allowed by right.
- h) The character of this area should be maintained by ensuring that new development is sensitive to the surrounding built and natural context in scale and form as described above.
- i) Proposals should be presented and reviewed according to the degree to which they achieve the goals of the Regional Mixed Use land use and may be the subject of Small Area Plans when significant developments are proposed.

## **CONSIDERATIONS:**

1. The requested RCR-2 District is within the same Regional Mixed Use Centers family of zoning districts as the other zoning designations found in the surrounding area. RCR-2 District would not be an isolated zoning district because of the surrounding pattern consisting of other similar districts within the Regional Mixed Use family. Additionally, this request would rezone the property for less intense use, or down-zone the property. RCR-2 District could provide a transition between the RCR-1 District found to the west, north, and south and the more intense RCC-D District to the east.
2. RCR-2 District is appropriate at this location because the less intensive uses encouraged by the RCR-2 District would be better suited to the location of the subject property, given its substantial offset from Mayhill Road. RCR-2 District permits moderate to high-density residential uses and a limited variety of commercial and institutional uses that could be supported by the surrounding neighborhood.

The uses and the scale of development permitted in the RCR-2 District is not as intense, however, as what is permitted within the RCC-D District, so this zoning district would be better suited for property adjoining established multi-family development. Given the status of Hudsonwood Drive as a residential collector street, substantial commercial development as required by the RCC-D District could be inappropriate at this location.

3. The applicant's proposed multi-family development would require a mixed-use component under the existing RCC-D District zoning. RCC-D District restricts multi-family use to the second story and

above. Office, retail, or other permitted commercial uses are required on the ground floor along any avenue, collector, or arterial street. Since Hudsonwood Drive will be classified as a collector street once it is extended, the inclusion of commercial uses on the ground floor of the proposed development would be mandated even though the street would be primarily used for residential access. Under the proposed RCR-2 District zoning, the mixed-use component would be required as part of multi-family development unless developed with an approved SUP. However, if the property is rezoned to RCR-2 District, the requirement for mixed-use development is eliminated, and the applicant can pursue multi-family development under an SUP.

4. Per Section 35.3.4.B of the Denton Development Code, the following criteria shall be considered for a rezoning request: *The proposed rezoning conforms to the Future Land Use element of the Denton Plan 2030.* The proposed rezoning to RCR-2 District conforms to the Future Land Use Designation of Regional Mixed Use. The applicant's intended use of the property also conforms to the moderate to high-density residential development aspect of the Regional Mixed Use designation.

Regional Mixed Use is located primarily along Interstate 35 and primary arterials streets, and the subject property is located near the eastern edge of this designation when the Future Land Use Map is looked at on a larger scale. The highest density commercial and mixed use development for this mixed use center would most likely be further to the west of the subject property along I-35, Loop 288, and Brinker Road, and it would be logical for development to decrease in intensity and become more residential moving towards the outer edges of this center as property transitions into other future land use designations.

5. Per Section 35.3.4.B of the Denton Development Code, the following criteria shall be considered for a rezoning request: *The proposed rezoning facilitates the adequate provision of transportation, water, sewers, schools, parks, and other public requirements and public convenience.* Water, sewer, and public access will be available to the property along the intended extension of Hudsonwood Drive.

#### **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, six notices were sent to property owners within 200 feet of the subject property, eleven 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. The applicant indicated intent to hold a neighborhood meeting, but a date for the meeting had not been set as of the writing of this report.

#### **PROJECT TIMELINE:**

Application Received:	October 28, 2016
1 <sup>st</sup> Submittal Sent to DRC Members:	November 9, 2016

Comments Released to Applicant:	November 23, 2016
2 <sup>nd</sup> Submittal Sent to DRC Members:	December 9, 2016
Comments Released to Applicant:	December 22, 2016
3 <sup>rd</sup> Submittal Sent to DRC Members:	February 8, 2017
Comments Released to Applicant:	February 8, 2017
Business Days under DRC Review:	20
Business Day out to Applicant:	45
Total Business Days:	65

**EXHIBITS:**

- Aerial Map
- Zoning Map
- Future Land Use Map
- Proposed Zoning Change Map
- Permitted Uses in RCR-2 and RCC-D Districts
- Notification Map

Respectfully submitted:  
Shandrian Jarvis, AICP  
Development Review Committee Administrator

Prepared by:  
Hayley Zagurski  
Assistant Planner