



## Legislation Text

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**File #:** S16-0008a, **Version:** 1

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**Planning Report**  
**S16-0008 / The Standard/The Hudson at MedPark**  
**City Council District 1**  
**Planning & Zoning Commission**  
**March 8, 2017**

**REQUEST:**

Hold a public hearing and consider a request by Richard and Nancy Greb and Kevin Nelms for a Specific Use Permit to allow multifamily development on approximately 20.49 acres. The property is generally located at 2100 South Mayhill and at the end of Hudsonwood Drive in the City of Denton, Denton County, Texas. This item has been continued from the February 22, 2017 Planning & Zoning Commission meeting. (S16-0008, 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, 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 March 8, 2017.

Pending the approval of the real estate transaction, a rezoning request to RCR-2 District, and this request for a Specific Use Permit (SUP), the applicant intends to develop the subject tract for multi-family use. The applicant has also 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.

**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.

### **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 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 March 7, 2017 City Council meeting this land will once again be a part of the larger parent tract.

South: A multi-family development known as 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:**

In a separate application, the applicant has requested to rezone the subject property from RCC-D District to RCR-2 District. The requested RCR-2 District is within the same Regional Mixed Use Centers family of zoning districts as the existing RCC-D District as well as other zoning designations found in the surrounding area. The purpose of Regional Mixed Use Centers 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 primarily intended to promote moderate to high-density residential development, but a mixture of neighborhood services are also permitted. The maximum density is 40 dwelling units per acre. Apartments are only permitted as part of a mixed-use development or with approval of a small area plan or an SUP. The uses and the scale of development permitted in the RCR-2 District is not as intense as what is permitted within the RCC-D District, so they 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.

Properties to north, east, and southeast are undeveloped with the exception of a few single-family residences. A multi-family development known as Providence Place II exists on adjoining land to the south and west. Adjoining property to the north, west, and south is all zoned RCR-1 District. The City landfill exists further to the east across Mayhill Road, and further to the west and south is a mixture of commercial and institutional uses located in RCC-D and RCC-N Districts. A wide array of services are available in this area which would have both a neighborhood and regional customer base.

The applicant's request to construct two multi-family complexes with a total of 423 units is not inconsistent with the pattern of development in this area of the City and would be comparable to the adjoining multi-family development in scale. The development is also located in relatively close proximity to the MedPark rail station as well as bicycle/pedestrian trails, which would be useful resources for future residents of the area.

### **CONSIDERATIONS:**

1. Multi-family developments that are not part of mixed use development or a small area plan require approval of an SUP in the RCR-2 zoning district. If the rezoning is approved, the applicant is proposing a four-building multi-family development and a two-building age-restricted multi-family development within the RCR-2 District. Since the proposed development is not part of a mixed-use development or a small area plan, an SUP must be approved to develop the multi-family use. The approval criteria for SUP's is outlined in Subchapter 35.6.4 of the DDC and summarized below:

- a. *That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with Denton Plan 2030, and federal, state, or local law.*

The proposed development will be in conformance with all applicable standards of the RCR-2 District, including density, lot dimensions, building height, lot coverage, and landscaped area. The development would also be required to comply with the multi-family design standards in DDC 35.13.13.2., which include the following:

- Parking shall not be located between the building and the street.
- A minimum of 40% masonry materials on the exterior façade.
- For development with more than 3 buildings or 30 units cannot use the same exterior elevation for more than 3 buildings.
- A project greater than 3 acres must contain a public or private street system with sidewalks.
- An area equal to 8% of the lot area shall be dedicated as open space.

The proposed development is also in conformance with the Future Land Use designation of “Regional Mixed Use,” which includes moderate to high-density residential development. Regional Mixed Use is located primarily along Interstate 35 and primary arterials streets. When the Future Land Use Map is looked at on a larger scale there are two primary areas designated as Regional Mixed Use- the area around Rayzor Ranch Town Center and along a length of I-35 near the Loop 288 intersection. The subject property is located near the eastern boundary of the latter Regional Mixed Use Center. The highest density commercial and mixed use development for this mixed use center would be located further to the west of the subject property along major roadways such as 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. Thus, while the subject property is located with the boundaries of an area designated for mixed-use it may not be necessary for the use on this particular property to be mixed since it is located on a primarily residential collector street and has access to the nearby commercial and institutional uses via roadway, pedestrian and bike paths, and a train/bus station.

- b. *An SUP shall be issued only if all the following conditions have been met:*
- i. *That the specific use will be compatible with and not injurious to the use and enjoyment of other property nor significantly diminish or impair property values within the immediate vicinity;*

The proposed development is consistent with the development pattern in this area of the City. The development of the property will not be injurious to the use and/or development of nearby vacant properties nor to the use of adjoining multi-family development. Pending approval of the rezoning to RCR-2, the scale of permitted development will be reduced as follows:

- The permitted density would be reduced from 100 units per acre under RCC-D District to 40 units per acre under RCR-2 District
- The maximum building height would be reduced from 100 feet to 50 feet.
- The maximum permitted lot coverage would be reduced from 90% to 75%
- The required landscaped area would be increased from 10% to 25%.

Additionally, the proposed development will comply with all multi-family design requirements in Subchapter 35.13.13.2 of the DDC as discussed above. These required design elements will make the scale of the proposed development more compatible with surrounding existing uses than what

could have been permitted under the existing zoning designation.

The proposed development will feature two different complexes of apartments. Proposed site plans for the developments are included for reference. The Standard will feature four three-story multi-family buildings. The buildings will feature a mixture of one-, two-, and three-bedroom units. The proposed buildings are all approximately 16 feet lower than the maximum allowed 50 foot building height, and the density of units on the lot for The Standard will be 25.56 dwelling units per acre. The total number of units will be 263, which is 148 units less than the maximum that would be permitted for the lot acreage.

The second set of apartments will be known as The Hudson. The applicant intends these apartments to be age-restricted for independent senior living. The Hudson will feature two three-story buildings with a mixture of one- and two-bedroom units. The proposed buildings are both approximately 34 feet tall, and the density of units for this lot will be 24.06 dwelling units per acre. The total number of units will be 160, which is 106 units less than the maximum that would be permitted for the lot acreage.

- ii. *That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;*

Establishment of the multi-family residential use will not impede the development of surrounding property. The multi-family development will be required to provide a Type B buffer to the adjoining properties to the north and east, which are currently developed with single-family residences. The buffer would consist of a ten-foot wide planted strip that includes a combination of five evergreen and deciduous trees and 30 shrubs per 100 linear feet. The applicant is proposing to provide this buffer along the northern and eastern boundaries of the northern lot, as is indicated on the attached Proposed Landscape Plan for The Standard. The applicant is also proposing to provide the equivalent of a Type B buffer to screen the proposed detention pond located on a third lot on the south side of Hudsonwood Drive. Street trees and other landscaping requirements will also be provided on each portion of the development. The intended landscaping buffers and street trees will help ensure that normal, orderly development of the surrounding properties is not impeded by the proposed multi-family use.

- iii. *That adequate utilities, access roads, drainage, and other necessary supporting facilities have been or will be provided;*

Water, sewer, and electric service will be extended to the site. The location of these services will be determined during the platting process. As indicated on the submitted Site Plans, the development will also include the extension of Hudsonwood Drive towards Mayhill Road to provide access to the proposed development.

- iv. *The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;*

Adequate parking for the multi-family developments that meets the City's parking requirements is indicated on the submitted Site Plan. Ingress and egress from the multi-family development will be provided along Hudsonwood Drive. Bicycle parking is provided at The Standard, and sidewalks

are to be provided throughout both portions of the development. Pedestrian connectivity to Somerset Road will be provided by sidewalks throughout the southern development.

- v. *That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;*

Subchapter 13 of the DDC requires a 10-foot landscape buffer with trees and shrubs to be located along the northern and eastern perimeter of the northern lot adjoining the existing single-family residences. Street trees are to be provided along Hudsonwood Drive, and the proposed detention pond will be screened from all sides.

- vi. *That directional lighting will be provided so as not to disturb or adversely affect neighborhood properties; and*

Lighting of the property will comply with the Light and Glare requirements in Subchapter 13.12 of the DDC.

- vii. *That there is sufficient landscaping and screening to ensure harmony and compatibility with adjacent property.*

The proposed development will comply with landscaping standards in Subchapter 13 of the DDC, including street trees, parking lot trees, and the 30% minimum tree canopy coverage of the RCR-2 District. To buffer the existing single-family houses to the north and east, the DDC requires a Type-B 10 foot landscape buffer with five evergreen and deciduous trees and 30 shrubs per 100 linear feet along the northern and eastern property line of the northern lot. Street trees will be provided along Hudsonwood Drive, and the equivalent of a Type B buffer is provided to screen the proposed detention pond.

- c. *That adequate capacity of infrastructure can and will be provided to and through the subject property.*

All utilities will be extended to the proposed development. Right-of-way will be dedicated to extend Hudsonwood Drive towards Mayhill Road.

- d. *That the specific use is compatible with and will not have an adverse impact on the surrounding area. When evaluating the effect of the proposed use on the surrounding area, the following factors shall be considered in relation to the target use of the zone.*
  - i. *Similarity is scale, bulk, and coverage.*
  - ii. *Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*
  - iii. *Architectural compatibility with the impact area.*
  - iv. *Air quality, including the generation of dust, odors, or other environmental pollutants.*
  - v. *Generation of noise, light, and glare.*
  - vi. *The development of adjacent properties as envisioned in Denton Plan 2030.*
  - vii. *Other factors found to be relevant to satisfy the requirements of the DDC.*

The specific use is generally compatible with the development pattern of the surrounding area in terms of scale, bulk, coverage, traffic generation, architecture, nuisance generation, and future land use designation. The proposed development will comply with all multi-family design requirements in

Subchapter 35.13.13.2 of the DDC. The maximum lot coverage allowed under the proposed RCR-2 District is 75%, which is 15% less than what is currently allowed under the RCC-D District. Amenity centers are provided at both portions of the development as well as open space for recreation.

The applicant has not developed elevations or a color palette for the development at this time, but has indicated that both portions of the development will comply with the architectural requirements of DDC 35.13.13.2 for multi-family development. The applicant's narrative indicates the following:

- The Standard will feature an approachable modern design and building materials will consist of brick masonry, siding in unique configurations, and other materials to create architectural interest where possible. The color palette will be primarily neutral and earth tone colors.
- The Hudson will be distinct in form compared to The Standard but will use complimentary materials and color palette.

Although the applicant intends to comply with the multi-family design standards in DDC 35.13.13.2, staff recommends that exterior insulation finish system (EIFS) be permitted only as accent materials limited to 10% of the total building façade. This recommendation is intended to encourage visually appealing developments that will be durable over time.

2. The property is in an area designated as "Regional Mixed-Use" on the Future Land Use Map of *Denton Plan 2030*. Multi-family is allowed within Regional Mixed Use future land use areas, which allows for high density residential uses.

#### **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, subject to the following conditions:

1. The proposed multi-family developments will comply with attached Site Plans and Landscape Plans.
2. The proposed multi-family developments will meet or exceed the requirements of DDC 35.13.13.2; however, EIFS shall be permitted only as accent building materials limited to 10% of the total building façade.
3. No pole signage shall be used along Hudsonwood Drive. Signs shall be designed in accordance with the dimensional requirements in Chapter 33 of the Code of Ordinances.

#### **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 Site Plan
- Proposed Landscape Plan
- Proposed Zoning Change Map
- Notification Map

Respectfully submitted:  
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