

AGENDA
PLANNING AND ZONING COMMISSION REZONING SUBCOMMITTEE
July 6, 2016

After determining that a quorum of the Planning and Zoning Commission Rezoning Subcommittee of the City of Denton, Texas is present, the Subcommittee will convene in a Regular Meeting on **Wednesday, July 6, 2016 at 5:30 p.m.** in the City Council Work Session Room, City of Denton City Hall, 215 East McKinney Street, Denton, Texas at which time the following items will be considered:

REGULAR MEETING:

1. Receive a report and hold a discussion regarding a staff-initiated rezoning of approximately 42.69 acres of land from Neighborhood Residential Mixed Use (NRMU) Zoning District to a Commercial Mixed Use General (CM-G) Zoning District, generally located west of Carroll Boulevard, east of Hinkle Street, and north of Denton Center.
2. Receive a report and hold a discussion regarding a staff-initiated initial zoning of approximately 118.7 acres of land, generally located west and east of Swisher Road and north of Pockrus Page Road and the rezoning of approximately 4.5 acres of land currently zoned Neighborhood Residential Mixed Use (NRMU), generally located north of Pockrus Page Road and approximately 700 feet west of Swisher Road.
3. **FUTURE AGENDA ITEMS:** Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Planning and Zoning Commission Rezoning Subcommittee or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting.
4. **ADJOURN:**

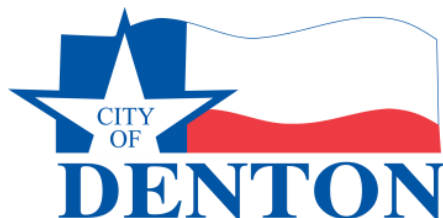
NOTE: THE PLANNING AND ZONING COMMISSION REZONING SUBCOMMITTEE RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA FOR WHICH IT IS LEGALLY PERMISSIBLE.

CERTIFICATE

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the _____ day of _____, 2016 at _____ o'clock (a.m.) (p.m.)

CITY SECRETARY

NOTE: THE CITY COUNCIL WORK SESSION ROOM AT CITY OF DENTON CITY HALL IS HANDICAP-ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT (940) 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.



**Planning Report
Planning & Zoning Commission
Rezoning Subcommittee
July 6, 2016**

REQUEST:

Receive a report and hold a discussion regarding a staff-initiated rezoning of approximately 42.69 acres of land from Neighborhood Residential Mixed Use (NRMU) Zoning District to a Commercial Mixed Use General (CM-G) Zoning District, generally located west of Carroll Boulevard, east of Hinkle Street, and north of Denton Center.

BACKGROUND:

During the May 4, 2016 meeting of the Planning and Zoning Commission Rezoning Subcommittee, staff presented several sites for rezoning consideration. This site was included in the list of proposed rezoning sites.

One of the tracts included in this request is the 21-acre site where the annual North Texas State Fair is held. According to the North Texas State Fair Association, they are planning to relocate the fair within the next ten years. Due to this proposed relocation, there is an opportunity to evaluate the current zoning designation of NRMU and determine if the zoning is appropriate for the location once the site is vacated.

The adjacent property located west of the Fairgrounds and properties east of North Carroll Boulevard are also included in this proposal. Two of properties are vacant and the other is developed with a small retail center. Considering these properties at this time will give the City and the property owners the opportunity to plan how this area will develop in the future, and lead to a more cohesive development pattern as outlined in the Denton Plan 2030 Land Use Element and Community Character and Urban Design Element.

SITE DATA:

The subject site consists of two large tracts of land located between North Carroll Boulevard and Hinkle Drive, and two properties located east of North Carroll Boulevard.

The 21 acre tract located on the west side of North Carroll Boulevard is the current location of the North Texas State Fair.

The 19.8454 acre tract which fronts onto Hinkle Drive is undeveloped, and a stream traverses the site. Future development on both tracts of land will have significant constraints in the form of Zone X and Zone AE Floodplain, with associated Stream Buffers and Flood Plain Environmentally Sensitive Areas (ESA) encumbering much of the site.

The two properties which are located at the northwest corner of the intersection of West Sherman Drive and North Carroll Boulevard, one site located at the intersection of Sherman Drive and North

Carroll Boulevard is developed with a small retail center, while the remaining lot, platted as Lot 2R, Block 3 of the Fry Addition, is vacant.

USE OF PROPERTY UNDER CURRENT ZONING:

The purpose of the NRMU District is to encourage a mix-use activity center with light retail, office, and institutional uses that support surrounding neighborhoods or to transition from non-residential zoning districts to single-family neighborhoods. The maximum density is 30 units per acre, except townhomes which are limited to 12 units per acre. Apartments are only permitted as part of mixed-use development or with approval of an SUP. The NRMU District permits many commercial and institutional uses with limitations or an SUP. Refer to the attached list of permitted use in the NRMU District for further detail.

SURROUNDING ZONING AND LAND USES:

North: Property to the north, located between North Carroll Boulevard and Hinkle Drive is zoned Neighborhood Residential 3 (NR-3), and Neighborhood Residential Mixed Use 12 (NRMU-12). The area zoned NRMU-12 consists of the Good Samaritan Assisted Living Center, and an undeveloped tract. The property zoned NR-3 is the location of Central Baptist Church. Property located to the north, and at the northeast corner of the intersection of North Carroll Boulevard and Ross Street is zoned Neighborhood Residential Mixed Use (NRMU) and is the location of Carroll Courts Apartments.

East: Property to the east is zoned Neighborhood Residential 3 (NR-3) and is developed single family residences.

South: Property to the south is zoned Community Mixed Use General (CM-G) and is developed as Denton Center.

West: Property to the west is zoned Neighborhood Residential 3 (NR-3) and is developed single family residences, and Neighborhood Residential Mixed Use 12 (NRMU-12) that is developed with an office.

COMPATIBILITY OF PROPOSED ZONING DISTRICT WITH SURROUNDING ZONING AND LAND USES:

The CM-G district is the less intense of the two zoning districts in the Community Mixed Use Centers zoning category and is intended to provide necessary shopping, services, recreation and institutional facilities that would be required and supported by the surrounding community. Permitted commercial uses include hotels/motels, retail sales and service, restaurants, offices, and vehicle repair. Major Event Centers and movie theaters would require a Specific Use Permit (SUP). Multifamily development is permitted in the district with limitations, however, there is no maximum residential density noted in the DDC for this zoning district. The minimum lot size in the CM-G district is 2,500 square feet, the maximum building height is 65 feet, the maximum Floor Area Ratio (FAR) is 1.5 and the maximum lot coverage is 80%. Please refer to the attached schedule of permitted uses and limitation for further reference.

The location site is adjacent to one of the major commercial corridors in the City. The Denton Plan 2030 has specific policies for this area with the express goal of establishing an identifiable center and corridor through the creation of specific design standards. The site is surrounded on two sides by single family residential development and Denton Center to the south. This could potentially foster the extension of Denton Center to the north and possibly trigger the redevelopment of

Denton Center to incorporate both the additional area and with the required enhanced design standards.

COMPREHENSIVE PLAN:

Per the Future Land Use Map in Denton Plan 2030, the subject site is designated as Community Mixed Use. The intersection of North Carroll Boulevard and West University Drive is also identified as a “*Center Focus Area*”, a “*Branding Station*”, and a “*Corridor Focus Area*” on the Focus Areas Concept Map (Figure 4.1, page 118).

Community Mixed Use

“Community Mixed Use” is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complimentary. This land use applies to existing and future commercial areas in the city, where redevelopment to mixed-use is desirable. The intent is to encourage a more diverse and attractive mix of uses over time. Future development in Community Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase their economic viability, accommodate greater connectivity and mobility options, and create a sense of place to serve the local community.

Development criteria of the Community Mixed Use future land use designation include:

- a) Typical types of development may include a supermarket, drug store, specialty shops, service stations, midsize offices, employers, and high-to-moderate density housing.
- b) Places of worship, schools, and parks and open space are allowed by right.
- c) Diverse uses shall be located in close proximity to one another so that all uses are accessible from a single stop by walking or bicycling.
- d) Vertical and horizontal mixed-use is encouraged.
- e) Development should be accessible from transit routes.
- f) Commercial uses should be programmed appropriately to serve the local Denton community and to be compatible with adjacent land uses.
- g) 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.
- h) Proposals should be presented and reviewed according to the degree to which they achieve the goals of the Community Mixed Use land use and may be the subject of Small Area Plans, when significant developments are proposed.

Focus Areas

The Denton Plan 2030 provides for the creation of specific focus areas as shown on the Focus Areas Map. Specifically, Goal CC-4 states that the City should achieve exemplary urban design in future and existing development throughout Denton’s neighborhoods, centers, and land uses. Through the creation of an *Urban Design Plan*, specific design regulations should be developed for specific visually distinct areas, key centers and corridors which are identified based on the location of important community identifiers, a concentration of employment or community hubs, with opportunities for densifications, public realm improvements, and infill development. These regulations can be established through the preparation of a Small Area Plan with unique recommendations for land use, urban design, circulation, and public realm improvements which would then be implemented through the adoption of corresponding Overlay Districts, unique to each area.

CONSIDERATIONS:

1. The proposed CM-G zoning district is an extension of the existing adjacent CM-G zoning to the south. As noted in this report, the existing developments located to the east and west of the subject site are single family residences. An assisted living facility, undeveloped land, and church located to the north of the site. Good planning practice advocates an approach to zoning which would buffer or separate residential uses and districts from higher intensity commercial and industrial districts. Typically, a transitional zoning district located between the higher intensity district and a residential district is used to buffer the residential district from any adverse impacts from the higher intensity zoning district.
2. The residences to the west are separated from the subject area by Hinkle Drive, and the residences to the east are separated from the subject area by Carroll Boulevard.
3. The intersection of North Carroll Boulevard and West University Drive is designated as a Center Focus Area, a Branding Station and a Corridor Focus Area. The area within and around Denton Center is a key focus area in the City. As such, unique development standards will be required for this area in order to create a recognizable center. To create this overall vision, these standards should be applied to the entire area.
4. The subject area has significant constraints to development in the form of Zone X and Zone AE Floodplain, and associated Stream Buffers and Flood Plain Environmentally Sensitive Areas encumbering much of the site.
5. The site is bounded by Hinkle Drive and North Carroll Boulevard on the west and east side, both of which are classified as Collectors on the City of Denton Mobility Plan.

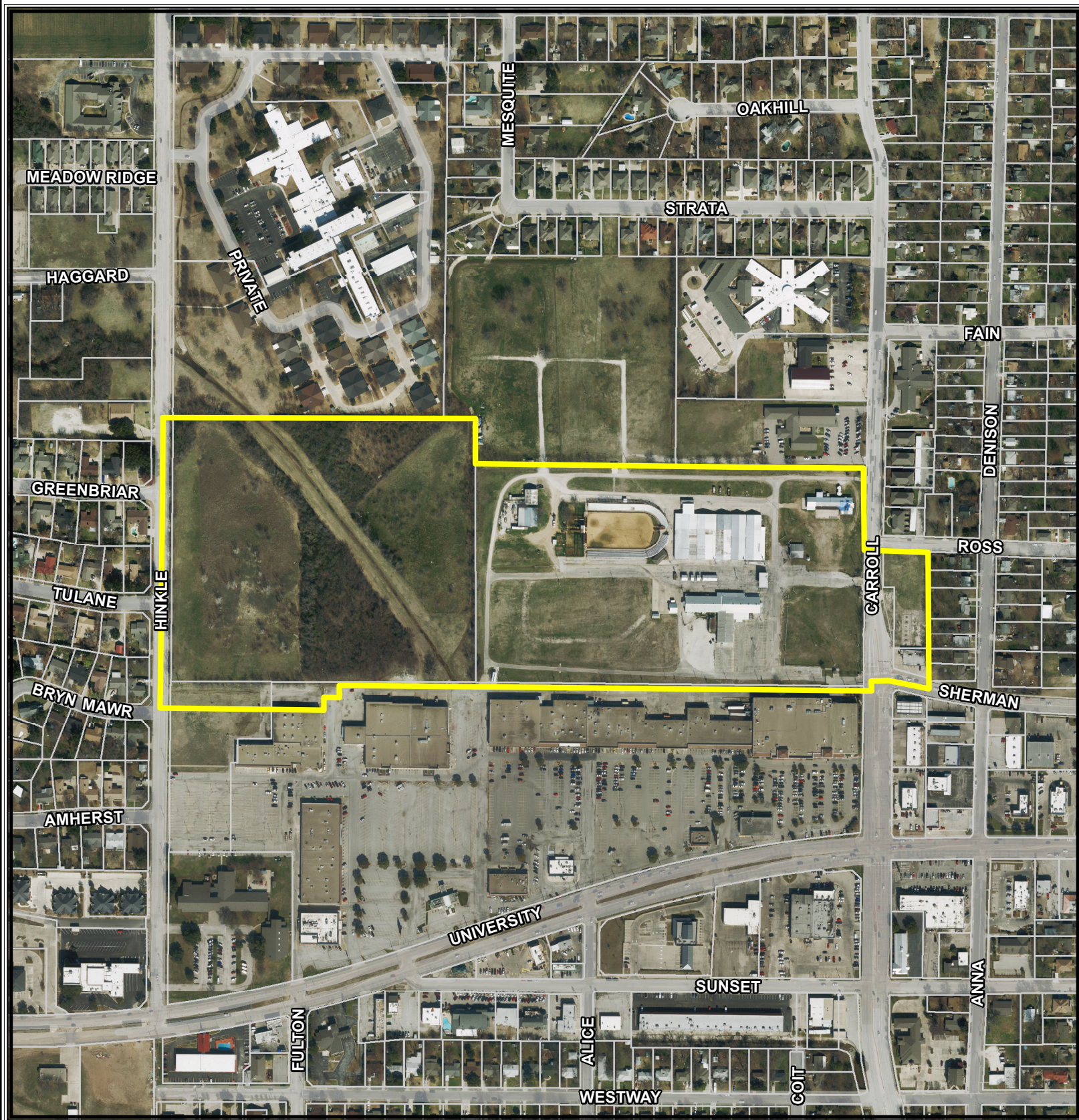
ATTACHMENTS:

- Aerial Map
- Zoning Map
- Future Land Use Map
- Mobility Plan Map
- Denton Plan 2030 Focus Areas Concept Map
- NRMU Permitted Uses
- CM-G Permitted Uses

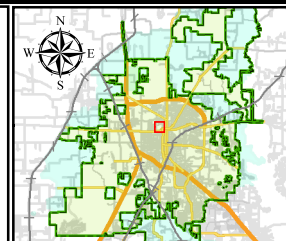
Prepared By:
Cindy Jackson, AICP
Senior Planner

Reviewed By:
Ron Menguita, AICP
Long Range Planning Administrator

Aerial Map



- SITE
- Parcels
- Roads



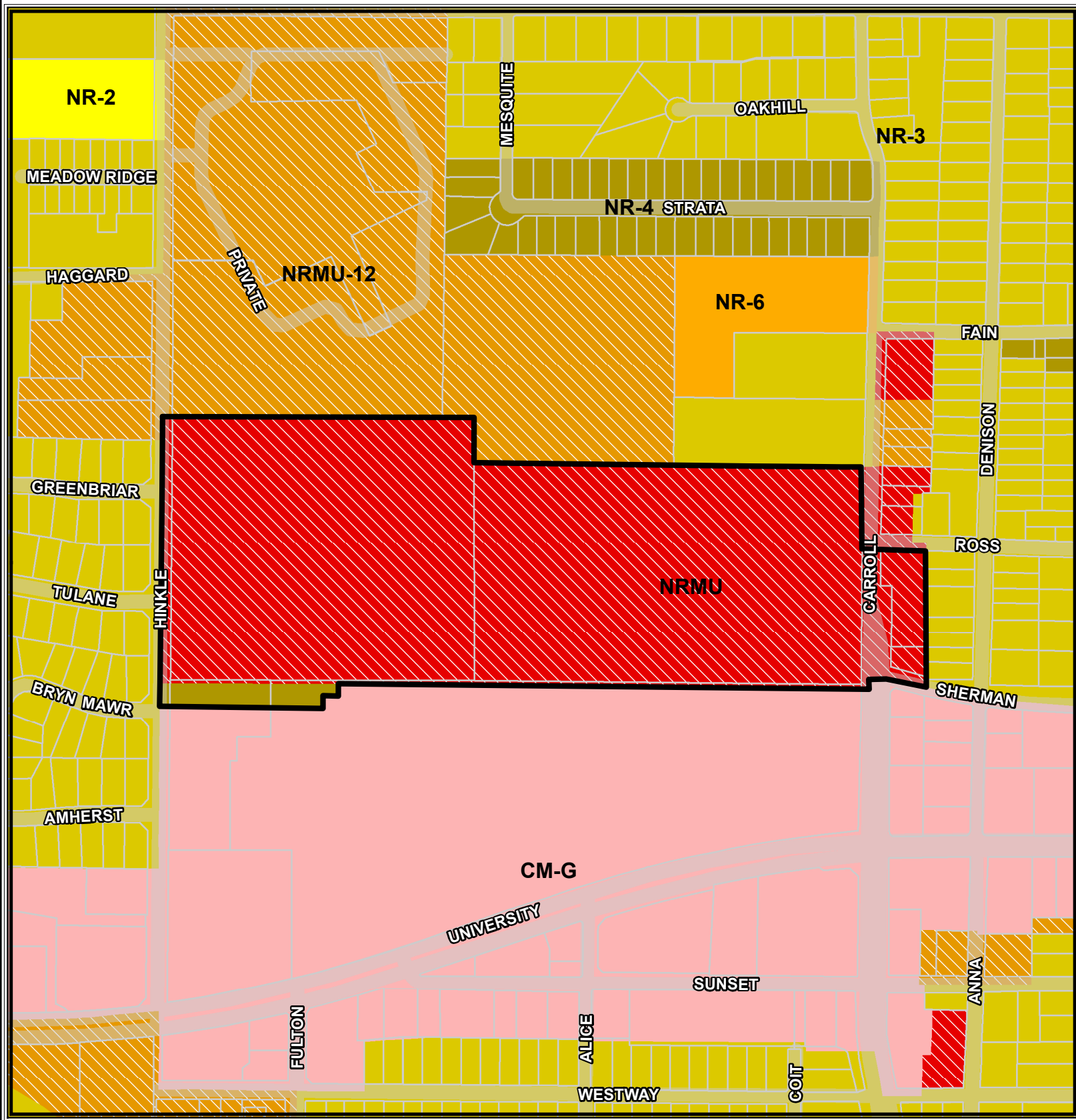
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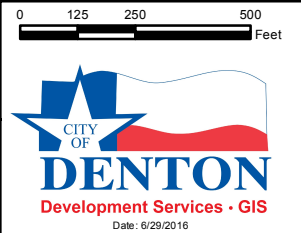
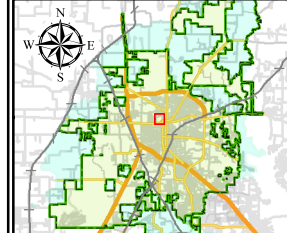
Date: 6/30/2016

The City of Denton has prepared maps for departmental use. These are not official maps of the City of Denton and should not be used for legal, engineering or surveying purposes but rather for reference purposes. These maps are the property of the City of Denton and have been made available to the public based on the Public Information Act. The City of Denton makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. Utilization of this map indicates understanding and acceptance of this statement.

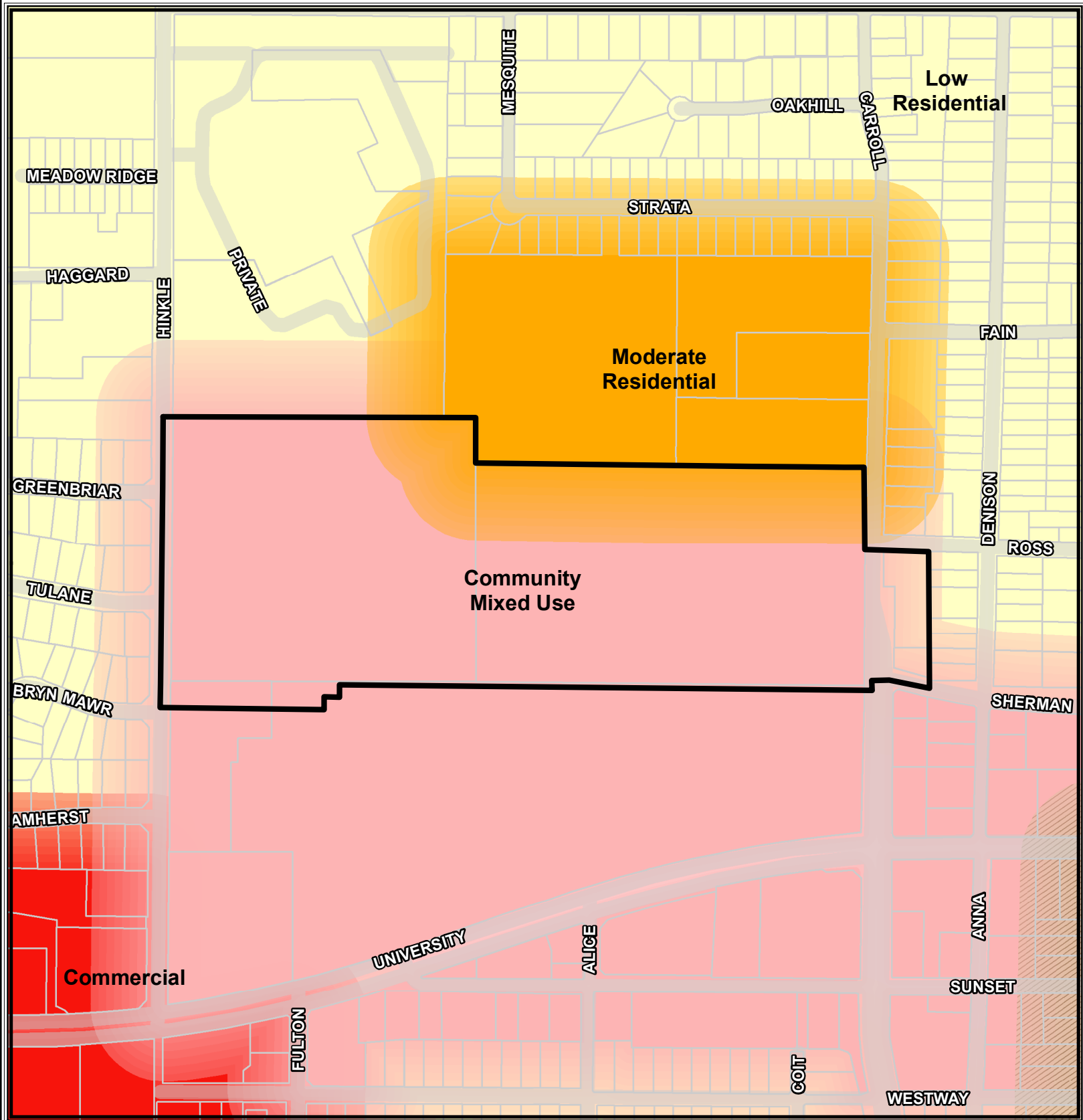
Zoning Map



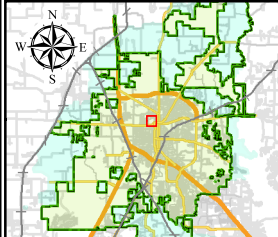
	SITE		CM-G		NR-6
	Parcels		NR-2		NRMU
	Roads		NR-3		NRMU-12
			NR-4		



Future Land Use Map



- | | | |
|---------|------------------------|-----------------------------|
| SITE | Future Land Use | Downtown Compatibility Area |
| Parcels | Low Residential | Community Mixed Use |
| Roads | Moderate Residential | Commercial |



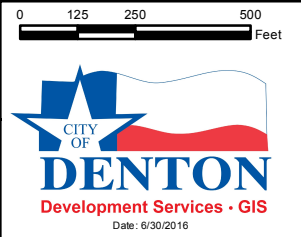
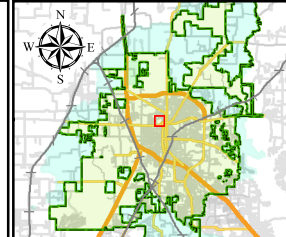
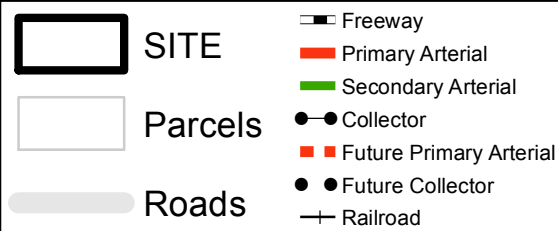
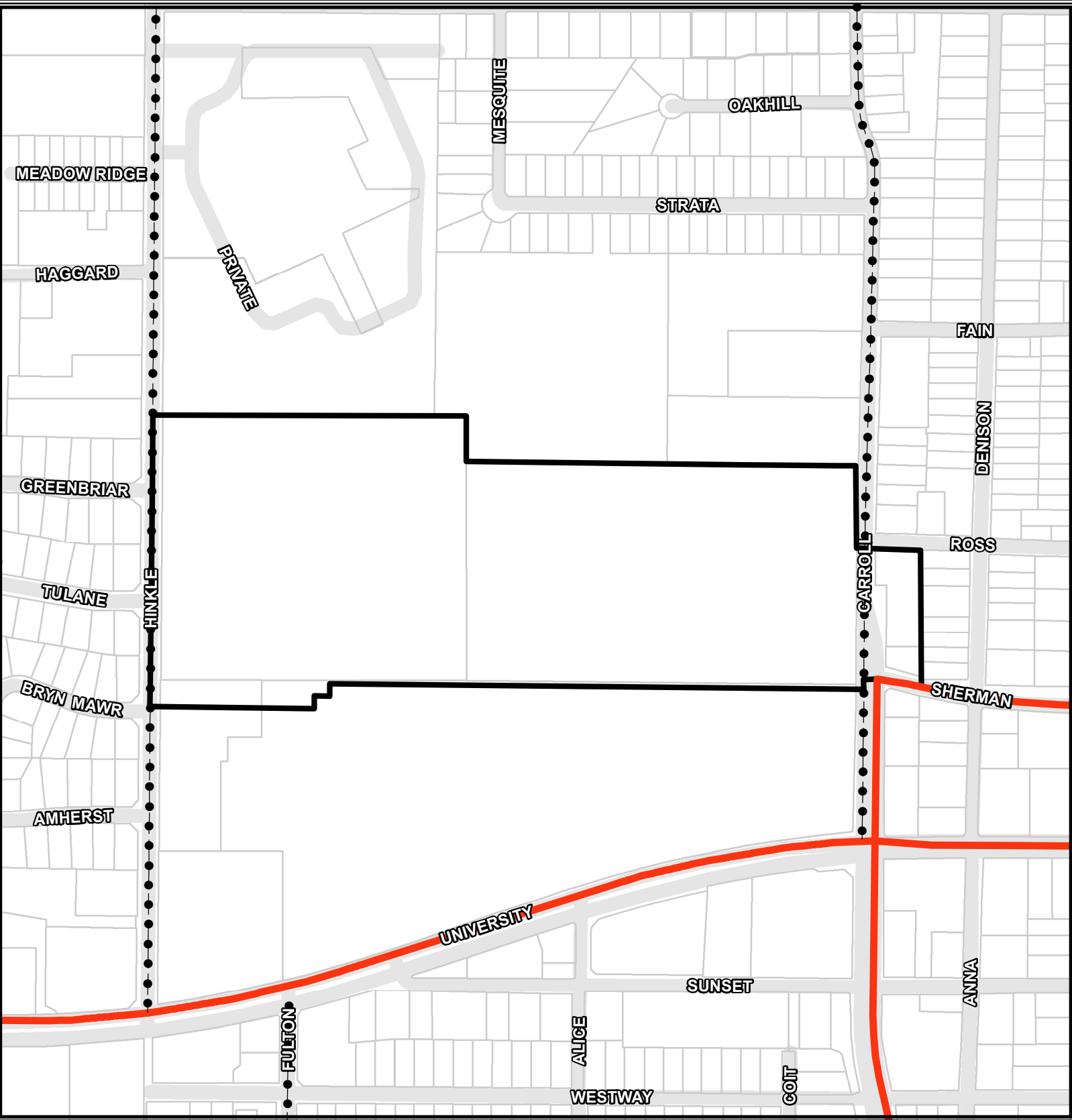
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Development Services • GIS

Date: 6/29/2016

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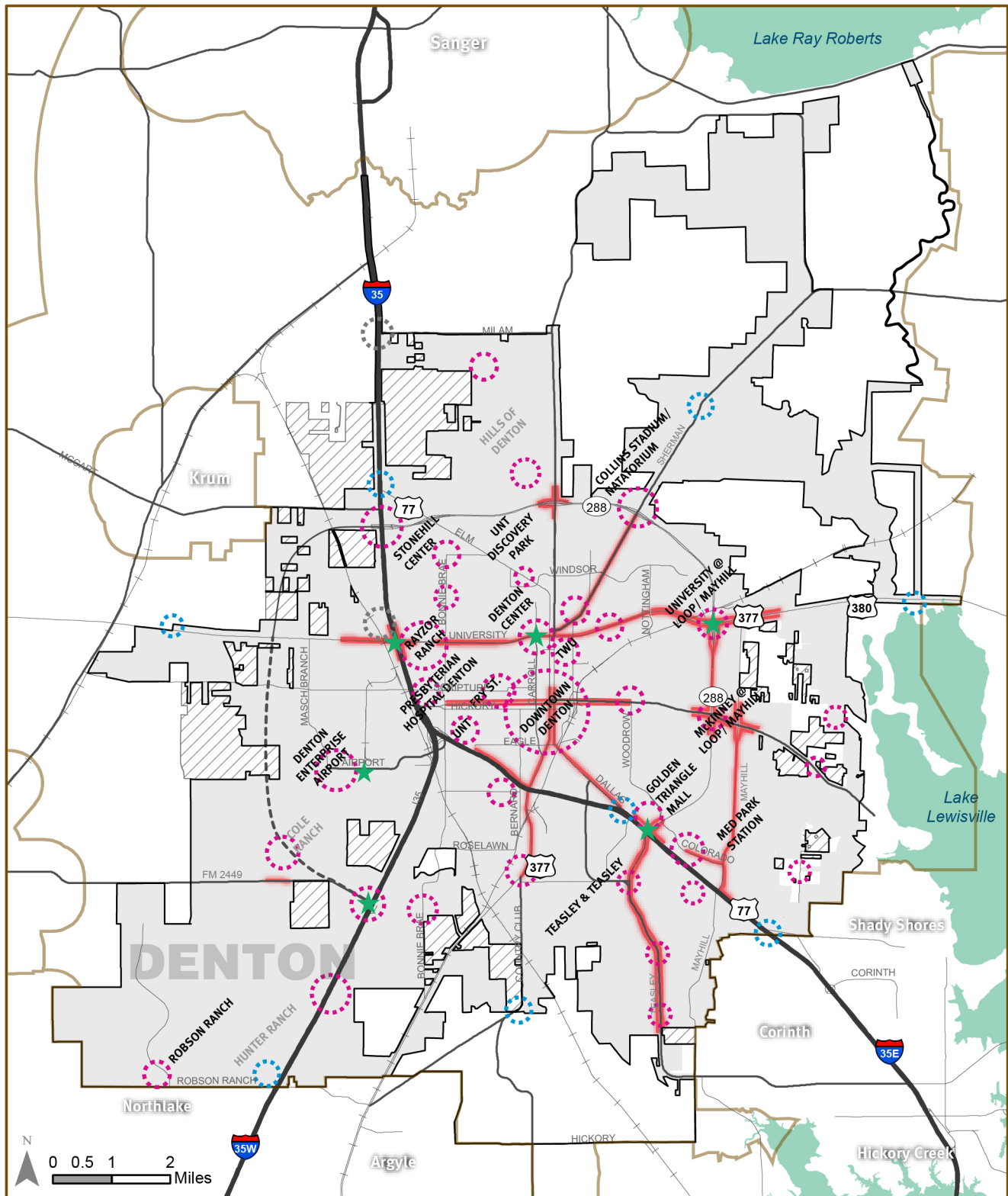
Mobility Plan Map



Date: 6/30/2016

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FIGURE 4.1: Focus Areas Concept



Source: City of Denton

- Center Focus Area
- Corridor Focus Area
- Gateway Focus Area
- Travel Center Focus Area
- Branding Station
- Municipal Boundaries
- City of Denton
- ETJ

Neighborhood Residential Mixed Use (NRMU) Permitted Uses

RESIDENTIAL:

- P Dwellings Above Businesses, Live/Work Units, Community Homes for the Disabled
- L(7) Livestock
- L(40) Attached Single-Family Dwellings
- L(4), SUP Multi-Family Dwellings
- SUP Group Homes
- SUP Fraternity or Sorority House
- SUP Dormitory

COMMERCIAL:

- P Home Occupation, Hotels, Bed & Breakfast, Laundry Facility
- L(17) Retail Sales and Service, Professional Services and Offices
- L(11) Restaurant or Private Club
- L(14) Administrative or Research Facilities, Broadcasting or Production Studio
- L(38) Temporary Uses
- SUP Drive-through Facility, Quick Vehicle Servicing, Outdoor Recreation

INDUSTRIAL:

- P Veterinary Clinics
- L(21) Bakeries
- L(27), SUP Gas Wells

INSTITUTIONAL:

- P Community Service, Parks and Open Space, Churches, Semi-Public Halls, Clubs, and Lodges, Adult or Child Day Care, Kindergarten, Elementary School, Middle School, Elderly Housing, Medical Centers
- L(25) Basic Utilities
- L(14) Business/Trade School
- SUP High School, WECS (Free-standing Monopole Support Structure), WECS (Building Mounted)

P = Permitted, L(#) = Permitted with a Limitation, SUP = Specific Use Permit

LIMITATIONS:

L(4) – Multi-Family is permitted only:

1. With a Specific Use Permit (SUP),
2. As part of a Mixed-Use Development; or
3. As part of a Master Plan Development, Existing; or
4. If the development received zoning approval allowing multi-family use with one (1) year prior to the effective date of Ordinance No. 2005-224; or,
5. If allowed by a City Council approved neighborhood (small area) plan.

L(7) – Limited to two animals on parcels one to three acres in size. Additional animals may be added at a rate of one per each acre over three acres.

L(11) – Limited to sit down only, and no drive up service permitted. Limited to no more than one hundred (100) seats and no more than four thousand (4,000) square feet of restaurant area.

L(14) – Uses are limited to no more than ten thousand (10,000) square feet of gross floor area.

L(17) – Uses that exceed twenty-five thousand (25,000) square feet of gross floor area per use require approval of a SUP.

L(21) – Baking and Bottling areas not to exceed two thousand five-hundred (2,500) square feet. Sales on premise of products produced required in the same zone.

L(25) – If proposed use is within 200 feet of a residential zone, approval is subject to an SUP.

L(27) – Must comply with the provisions of Subchapter 22, Gas Well Drilling and Production

L(38) – Must meet the requirements of Section 35.12.9

Community Mixed Use General (CM-G)
Permitted Uses

RESIDENTIAL:

- P Agriculture, Dwellings Above Businesses, Live/Work Units, Community Homes for the Disabled,
- L(4) & L(6) Multifamily
- L(7) Livestock

COMMERCIAL:

- P Hotels, Motels, Bed and Breakfast, Retail Sales and Service, Restaurant, Private Club, Bar, Drive-through Facility, Professional Services and Offices, Quick Vehicle Servicing, Vehicle Repair, Auto and RV Sales, Laundry Facilities, Outdoor Recreation, Indoor Recreation, Commercial Parking Lots, Administrative or Research Facilities, Broadcasting of Production Studio
- L(38) Temporary Uses
- SUP Movie Theaters, Major Event Entertainment

INDUSTRIAL:

- P Printing/Publishing, Bakeries, Veterinary Clinics
- L(27), SUP Gas Wells

INSTITUTIONAL:

- P Community Service, Parks and Open Space, Churches, Semi-public Halls, Clubs, and Lodges, Business/Trade School, Adult or Child Day Care, Kindergarten, Elementary School, Middle School, High School, Colleges, Conference/Convention Centers, Medical Centers, Mortuaries
- SUP Basic Utilities, WECS

P = Permitted, L(#) = Permitted with a Limitation, SUP = Specific Use Permit

LIMITATIONS:

L(4) – Multifamily is permitted only:

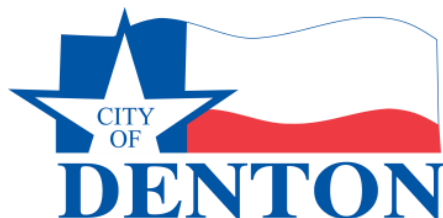
1. With a Specific Use Permit; or
2. As part of a Mixed-Use Development; or
3. As part of Master Planned Community, Existing; or
4. If the development received approval allowing multifamily use within one year prior to the effective date of Ordinance No. 2005-224; or
5. If allowed by a City Council approved neighborhood (small area) plan.

L(6) – Permitted only on 2nd story and above, when an office, retail, or other permitted commercial use is on the ground floor along any avenue, collector, or arterial street, otherwise office or retail uses are not required.

L(7) – Limited to two animals on parcels one to three acres in size. Additional animals may be added at a rate of one per each acre over three acres.

L(27) – Must comply with the provisions of Subchapter 22, Gas Well Drilling and Production

L(38) – Must meet the requirements of Section 35.12.9.



**Planning Report
Planning & Zoning Commission
Rezoning Subcommittee
July 6, 2016**

REQUEST:

Receive a report and hold a discussion regarding a staff-initiated initial zoning of approximately 118.7 acres of land, generally located west and east of Swisher Road and north of Pockrus Page Road and the rezoning of approximately 4.5 acres of land currently zoned Neighborhood Residential Mixed Use (NRMU), generally located north of Pockrus Page Road and approximately 700 feet west of Swisher Road.

BACKGROUND:

During the May 4, 2016 meeting of the Planning and Zoning Commission Rezoning Subcommittee, staff presented several sites for rezoning consideration. This site was included in the list of proposed rezoning sites.

The Commission recommended that staff expand the study area of this site to encompass all recently annexed land in the vicinity. The original site encompassed approximately 32.702 acres of land. The site has been expanded to include a total of approximately 123.21 acres of land as shown on the attached zoning map.

Approximately 118.7 acres of land was annexed into the City on April 17, 2013 (Ord. No. 2013-096) and was given a zoning designation of RD-5X. Newly annexed property is given a zoning designation of RD-5X as policy. The annexed property is restricted to the permitted uses and development standards of the Rural Residential 5 (RD-5) zoning district until the property owner decides to develop the property and have it zoned appropriately.

Included in the proposal are 4.5 acres of land currently zoned Neighborhood Residential Mixed Use (NRMU) district. This area was formerly part of a larger NRMU district approximately 24.5 acres in area. All but these remaining 4.5 acres were rezoned in 2015 to the current designation of Neighborhood Residential 6 (NR-6) for the purpose of extending the residential portion of the Villages of Carmel (Z15-0010).

The future land use designations of the subject area are Low Density Residential east of Swisher Road and Medium Density Residential and Neighborhood Mixed Use west of Swisher Road.

SITE DATA:

A majority of the land in the subject area had been developed as single family residential homes, mobile homes, and agricultural uses prior to annexation. The subject area consists of 16.528 acres of platted land and 106.68 acres of un-platted land. Located in the northern portion of the subject area east of Swisher Road is a 50 lot mobile home park, platted as Green Tree Estates.

On the southwest corner of the intersection of Edwards Road and Swisher Road is currently undeveloped but serves several functions. Approximately 2.4 acres of property serves as ESA mitigation for the Villages of Carmel and approximately 1.2 acres of property has been dedicated as a future city park location. The City has also purchased approximately 6.4 acres for a tree park.

The breakdown of existing land uses are as follows:

Land Use	Acreage	Percentage of Land
Single Family	33.97	27.6%
Mobile Home	30.95	25.12%
Farm/Ranch	24.2	19.63%
Undeveloped	12.5	10.15%
Agricultural	9.16	7.43%
Storage Yard	8.76	7.1%
Religious	3.5	2.83%
Roadways	0.17	0.14%
	123.21	100.00%

USE OF PROPERTY UNDER CURRENT ZONING:

Newly annexed property is given a zoning designation of RD-5X as policy. The annexed property is restricted to the permitted uses and development standards of the Rural Residential 5 (RD-5) zoning district until the property owner decides to develop the property and have it zoned appropriately. The City has received several inquiries regarding platting some properties located on the east side for Swisher Road for residential use, however the proposed lots do not comply with the RD-5 district minimum lot requirement of 5 acres, thus necessitating the need to have the area zoned to a more appropriate zoning district.

SURROUNDING ZONING AND LAND USES:

North: Property to the north is zoned Neighborhood Residential 6 (NR-6) and Neighborhood Residential Mixed Use 12 (NRMU-12). There are also property still in the county, Extra-Territorial Jurisdiction (ETJ). The area zoned NRMU-12 is an equestrian training center and horse breeder. The property zoned NR-6 is undeveloped.

East: Property to the east is zoned PD-132 and is developed as the Preserve at Pecan Creek. The uses include single family residences and an elementary school.

South: Property to the south is zoned PD-132 and is developed as the Preserve at Pecan Creek.

West: Property to the west is zoned Neighborhood Residential 6 (NR-6), and Neighborhood Residential Mixed Use 12 (NRMU-12). The property zoned NR-6 is a future residential development, Villages of Carmel.

COMPREHENSIVE PLAN:

Per the Future Land Use Map (FLUM) in Denton Plan 2030, the subject area is divided into three separate land use designations. The land located on the east side of Swisher Road is designated Low Density Residential. The property located on the west side of Swisher Road is designated Moderate Density Residential and the property located at the northwest corner of the intersection of Pockrus Page Road and Swisher Road is designated Neighborhood Mixed Use. Additionally,

the intersection of Edwards Road and Swisher Road has been identified as a “*Center Focus Area*” in Denton Plan 2030.

Low Density Residential

Per the Future Land Use Map in *Denton Plan 2030*, the land located on the east side of Swisher Road is designated as “Low Density Residential”, which is intended for single family neighborhoods located in rural fringe areas. Lot sizes range from one acre or more with an average gross density of four units per acre. Development consists of one to two story residences with private driveways, and open space consisting of privately-maintained tree canopy and yards. Building and driveway orientation, as well as building materials and garage locations vary by neighborhood or subdivision. Typically, these neighborhoods are linked by internal circulation systems with limited access to local and connector roads.

Development criteria of the Low Density Residential Land Use include:

- a. Development may include single-family residential development of up to quarter acre (10,890 square feet) lots.
- b. Development should be contiguous with existing developed areas of the city and consistent with the Preferred Growth Concept.
- c. A variety of housing styles, types and prices with large, newly developed neighborhoods is encouraged.
- d. Within established residential areas, new development should respond to existing development patterns, and design standards.
- e. New residential development should be organized to promote walkability, access to parks, open space, and recreation amenities and ideally should locate all residences within a five to ten minute walking distance from neighborhood-serving retail and other amenities such as parks and school facilities.
- f. Compact developments that include clustered, small lots with substantial retained open space are encouraged.
- g. Urban agriculture is encouraged.
- h. Places of worship, parks, and open space are allowed by right.
- i. 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.

Moderate Residential:

Per the Future Land Use Map in *Denton Plan 2030*, the land located to the west of Swisher Road is designated as “Moderate Residential.” This designation is primarily intended to promote single-family housing on small lots, typical of Denton’s more compact, established single-family neighborhoods. The density of Moderate Residential should range between four to twelve units per acre. Low-rise multifamily dwellings and townhomes may also be located in these areas so long as they maintain a scale, style, and building orientation complementary of the prevailing character of the area. This designation typically applies to areas within the central areas of Denton as a transition between established single-family neighborhoods and mixed-use or commercial areas that can accommodate greater density.

Development Criteria of the Moderate Density future land use designation include:

- a. Development may include single-family development on small lots, duplexes, townhomes, and low-density multifamily dwellings.
- b. Development should be within and adjacent to Denton's existing neighborhoods, consistent with the Preferred Growth Concept.
- c. Residential development with a variety of housing styles, types, and prices that is compatible with adjacent development is encouraged.
- d. Infill development should respond to existing development with compatible patterns and design standards.
- e. New residential development should be organized to promote walkability, including sidewalks, and ideally should locate all residences within a five to ten minute walk from neighborhood-serving retail, parks, and schools.
- f. Urban agriculture is encouraged.
- g. Places of worship, parks, and open space are allowed by right.
- h. The character of this area should be maintained by ensuring new development is sensitive to the surrounding built and natural context in scale and form.

Neighborhood Mixed Use

The Neighborhood Mixed Use designation applies in areas of future development suited primarily to single-family development, but where neighborhood-serving retail and services are critical to achieving balanced, accessible neighborhoods. At these locations, a diverse mix of housing types and densities may also be accommodated. Ensuring that buildings are of the appropriate scale and intensity to complement the surrounding neighborhood and environment is critical. Future development in Neighborhood Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase connectivity and mobility options, and create a sense of place to serve the neighborhood.

Per Denton Plan 2030, development criteria of the Neighborhood Mixed Use designation include:

- a. The focus area of a neighborhood center contains facilities vital to the day-to-day activity of the neighborhood. A neighborhood center might contain a convenience store, small restaurant, personal service shops, daycare, and small offices.
- b. Development should be located close to existing or proposed residential development at a scale that can promote walking and bicycling.
- c. Vertical and horizontal mixed-use is encouraged.
- d. Moderate to high density residential use is allowed.
- e. Commercial uses should be programmed appropriately to serve a neighborhood-serving market and to be compatible with adjacent land uses.
- f. Development should be sited accessible to transit routes.
- 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 Neighborhood Mixed Use future land use designation and may be the subject of Small Area Plans, where necessary.

Focus Areas

The Denton Plan 2030 provides for the creation of specific focus areas as shown on the Focus Areas Map. Specifically, Goal CC-4 states that the City should achieve exemplary urban design in future and existing development throughout Denton's neighborhoods, centers, and land uses. Through the creation of an *Urban Design Plan*, specific design regulations should be developed for specific visually distinct areas. These regulations can be established through the preparation of a Small Area Plan with unique recommendations for land use, urban design, circulation, and public realm improvements which would then be implemented through the adoption of corresponding Overlay Districts, unique to each area.

CONSIDERATIONS:

1. Post Oak is designated as a primary arterial roadway and Edwards Road is designated as a collector street on the City of Denton Mobility Plan. The future extension of Post Oak along western edge of subject site will intersect with Edwards Road.
2. The existing roadway system is not constructed to city standards. As such, the future development of the Village of Carmel may affect traffic on the surrounding street system, most notably along Edwards Road and Swisher Road until the planned extension of Post Oak Road is completed.
3. The Villages of Carmel ESA Mitigation area and a proposed city park and a tree park are located at southwest corner of Edwards Road and Swisher Road, along with an existing equestrian center are located within an identified Center Focus Area.
4. Denton Plan 2030 states that Focus Areas will require specific urban design standards to create a visually distinctive community hub.
5. Environmentally Sensitive Areas (ESA) are present on the site located at the southwest corner of the intersection of Edwards Road and Swisher Road, and the large tract of land located at the northwest corner of the intersection of Edwards Road and Swisher Road. Stream buffer ESA is also shown to be located on the southern edge of the platted mobile home park. An ESA assessment and possible mitigation would be required prior to the development of any of these properties.
6. Water is currently available along Swisher Road, south of Edwards Road. Sewer is not available at this time.
7. The majority of the tracts located on either side of Swisher Road are developed. This development is mainly comprised of single family residences and mobile homes, with some agricultural uses such as an equestrian center/horse stable and open pasture. Some of the undeveloped tracts are being used as storage yards.

ATTACHMENTS:

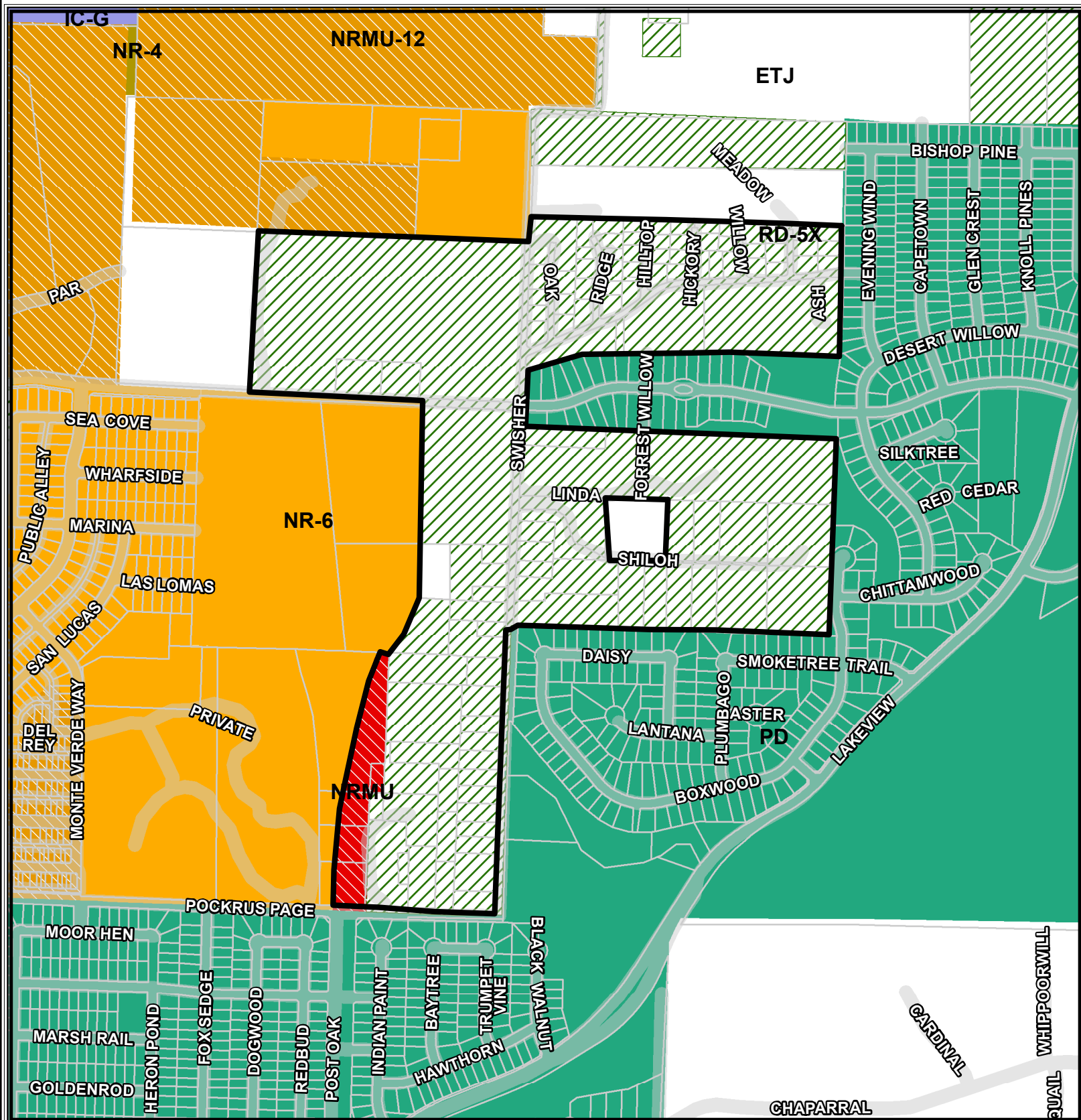
- Zoning Map
- Future Land Use Map
- Mobility Plan Map

- Denton Plan 2030 Focus Areas Concept Map
- Final Plat of Villages of Carmel, Phase 5B (FP16-0002)
- Neighborhood Residential 1 (NR-1) Permitted Uses
- Neighborhood Residential 4 (NR-4) Permitted Uses
- Neighborhood Residential Mixed Use (NRMU) Permitted Uses

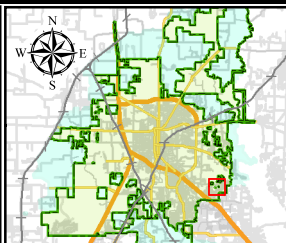
Prepared By:
Cindy Jackson, AICP
Senior Planner

Reviewed By:
Ron Mengueta, AICP
Long Range Planning Administrator

Zoning Map



	SITE		ETJ		NR-6		PD
	Parcels		IC-G		NRMU		RD-5X
	Roads		NR-4		NRMU-12		

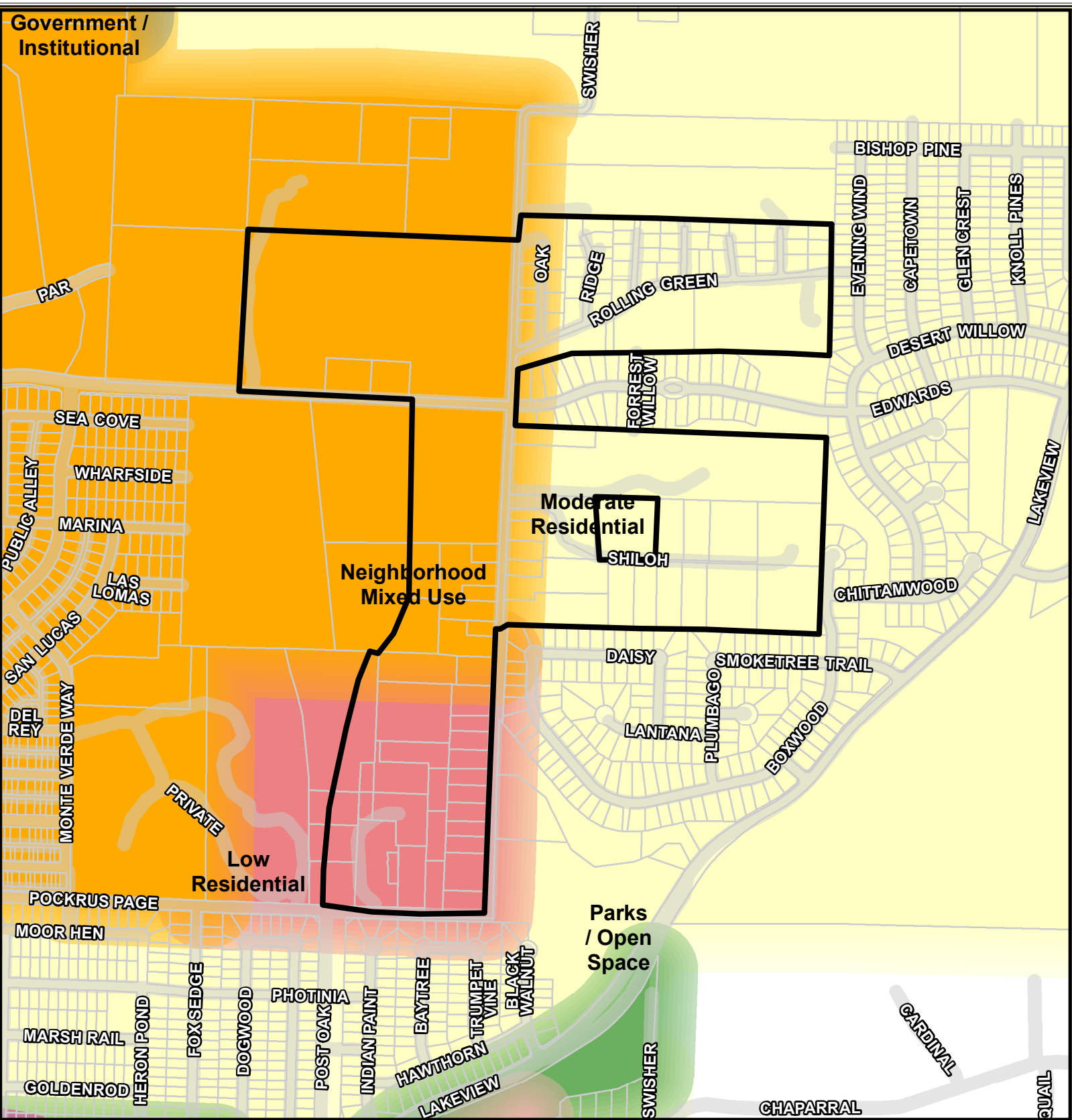


0 205 410 820 Feet

CITY OF DENTON
Development Services • GIS
Date: 6/27/2016

The City of Denton has prepared maps for departmental use. These are not official maps of the City of Denton and should not be used for legal, engineering or surveying purposes but rather for reference purposes. These maps are the property of the City of Denton and have been made available to the public based on the Public Information Act. The City of Denton makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. Utilization of this map indicates understanding and acceptance of this statement.

Future Land Use Map



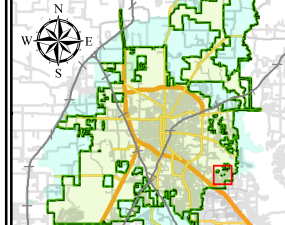
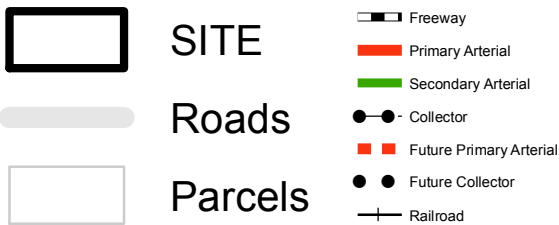
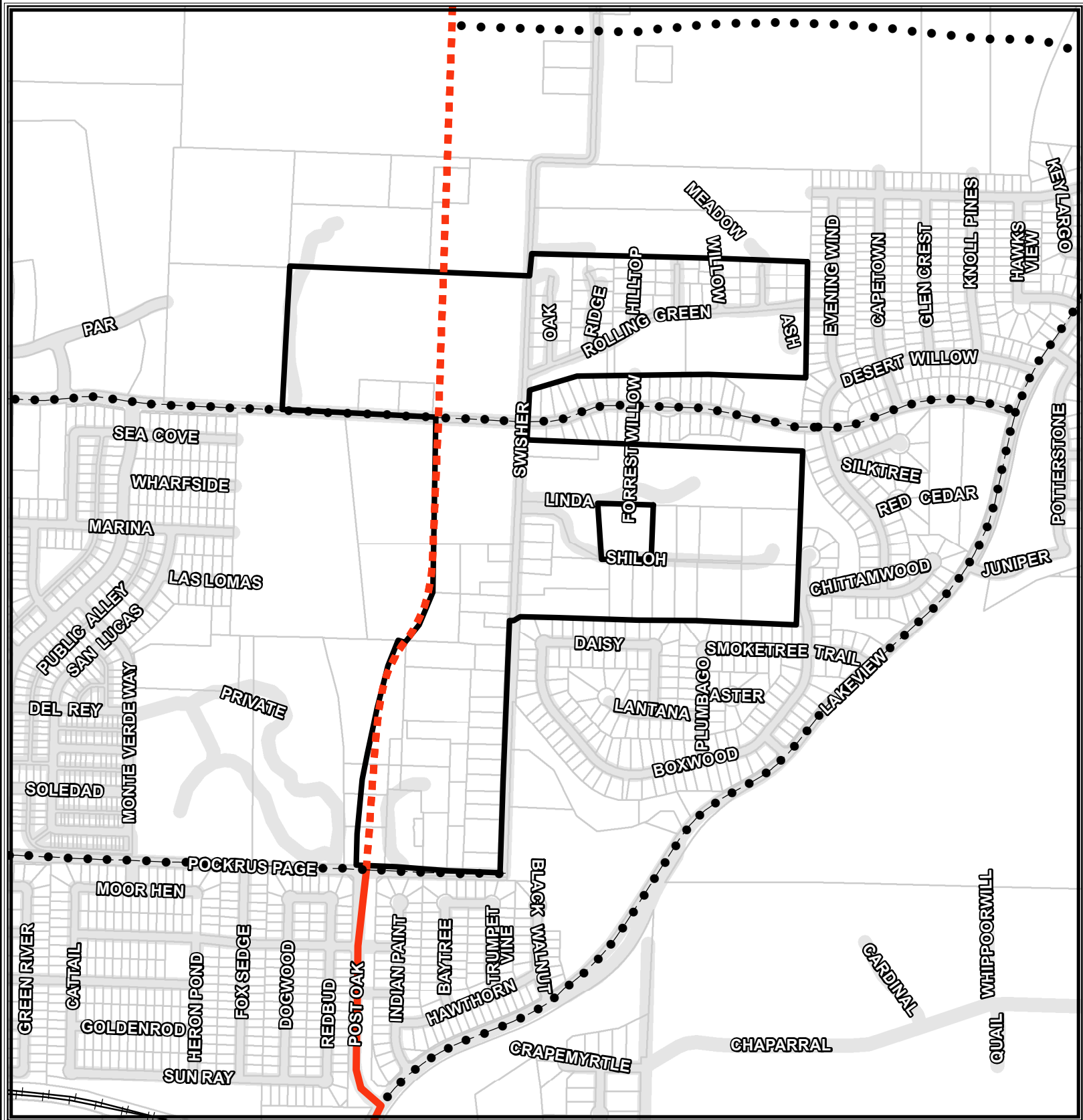
SITE	Future Land Use	Community Mixed Use
Parcels	Low Residential	Neighborhood Mixed Use
Roads	Moderate Residential	Government / Institutional
	Regional Mixed Use	Parks / Open Space

Development Services • GIS

Date: 6/22/2016

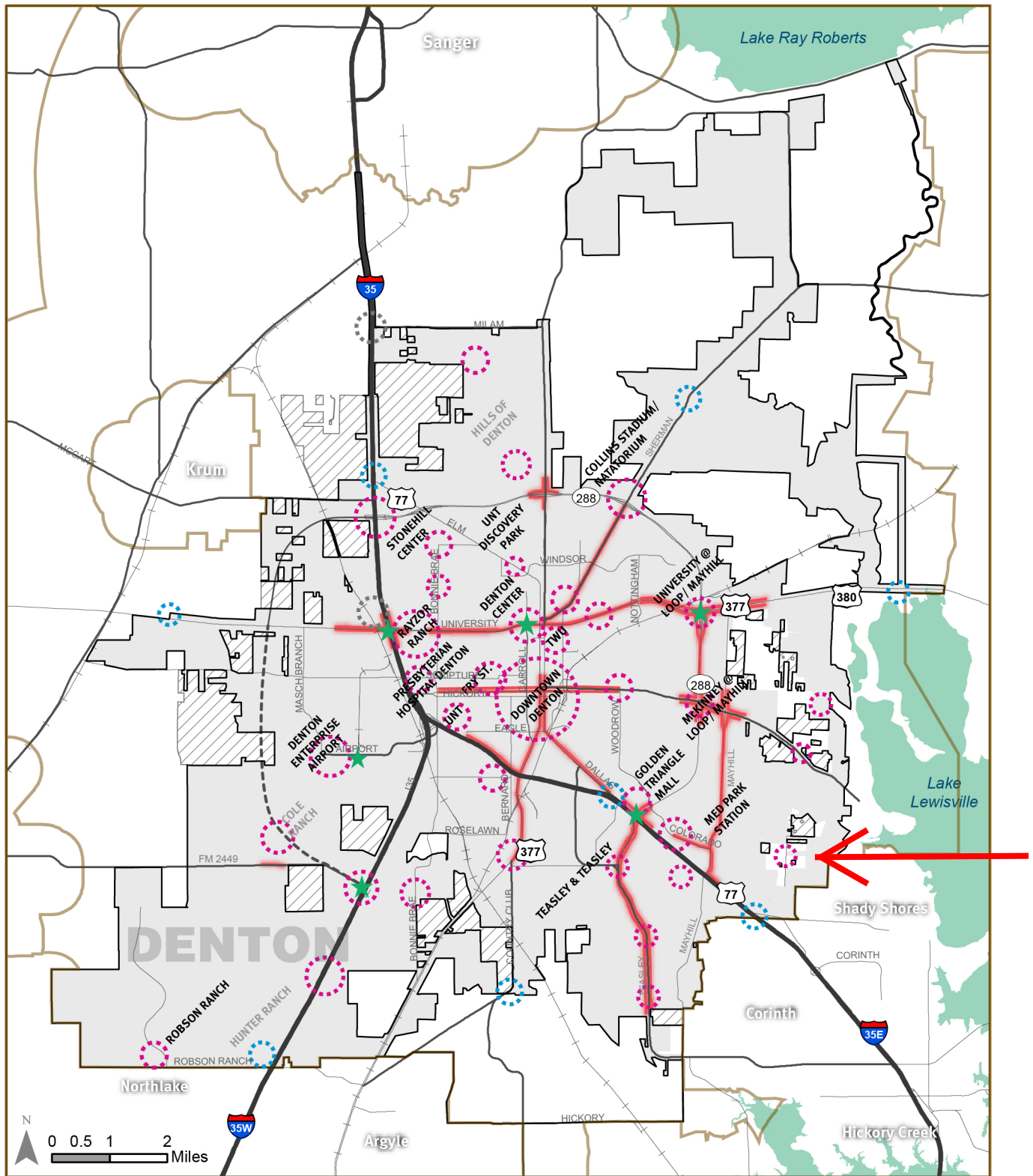
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Mobility Plan Map



The City of Denton has prepared maps for departmental use. These are not official maps of the City of Denton and should not be used for legal, engineering or surveying purposes but rather for reference purposes. These maps are the property of the City of Denton and have been made available to the public based on the Public Information Act. The City of Denton makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. Utilization of this map indicates understanding and acceptance of this statement.

FIGURE 4.1: Focus Areas Concept



Source: City of Denton

- Center Focus Area
- Corridor Focus Area
- Gateway Focus Area
- Travel Center Focus Area
- Branding Station
- Municipal Boundaries
- City of Denton
- ETJ

REGISTERED PROFESSIONAL SURVEYORS

HERBERT S. BEASLEY

LAND SURVEYORS L.P.

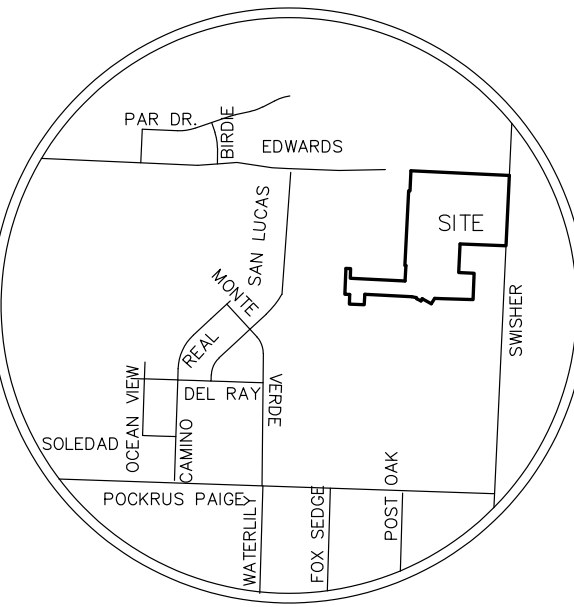
• LAND • TOPOGRAPHIC
• CONSTRUCTION SURVEYING

FIRM NO. 10094900
METRO 817-429-0194
FAX 817-446-5488
hsbeasley@msn.com

NOTES:
DE - Public Drainage Easement
PUE - Public Utility Easement
BDD - Brockett/Davis/Drake cap
cm - control monument
IRF - iron rod found
IRS - iron rod set
MFF - Minimum Finish Floor elevation

SUSAR FARM, INC.,
CHERI LYN GATTSHALL, DEBORAH KAY CLECKNER,
MELODY A. HARPER, AND MARILYN K. HULSEY,
V. 1239, P. 488, D.R.D.C.T.
DESCRIBED IN V. 671, P. 40, D.R.D.C.T.

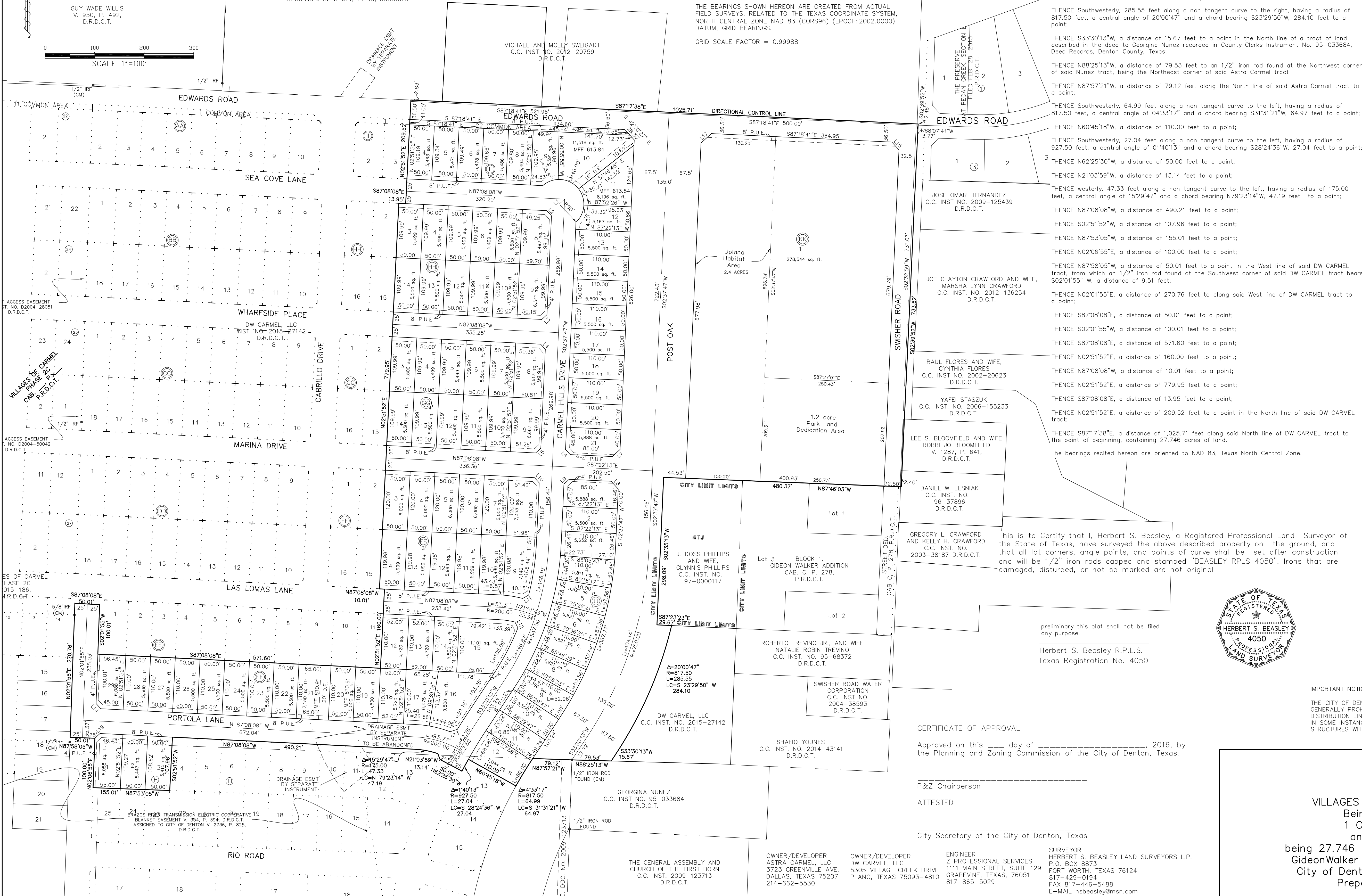
LINE	LENGTH	BEARING
L1	15.00	S47°44'49"W
L2	14.17	S42°15'10"E
L3	14.11	N47°44'50"E
L4	14.17	S42°15'10"E
L5	14.11	N47°44'50"E
L6	14.14	N42°22'13"W
L7	21.21	S47°37'47"E
L8	21.21	S42°22'13"E
L9	14.14	N47°37'47"E
L10	14.17	S42°15'10"E
L11	14.00	N60°26'37"E
L12	13.38	S26°34'04"E
L13	15.84	N71°46'39"E
L14	14.84	S42°33'06"E
L15	21.24	N42°22'51"W
L16	5.66	N42°22'51"W
L17	28.27	N47°39'33"E
L18	15.55	N47°39'33"E
L19	14.05	N47°29'24"E



VICINITY MAP
MAPSCO 528-S

THE BEARINGS SHOWN HEREON ARE CREATED FROM ACTUAL FIELD SURVEYS, RELATED TO THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE NAD 83 (GCSN96) (EPOCH: 2002.0000) DATUM, GRID BEARINGS.

GRID SCALE FACTOR = 0.99988



STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS, Astra Carmel, LLC, acting by and through the undersigned, its duly authorized agent, and DW CARMEL, LLC, acting by and through the undersigned, its duly authorized agent, do hereby adopt this plat designated herein as Villages of Carmel, Phase 5B, an addition to the City of Denton, Denton County, Texas. The easements shown hereon are hereby reserved for the purposes as indicated. All streets, and right-of-ways, are hereby dedicated in fee simple to the public. The utility and fire lane easements (streets, alleys, and common areas) shall be open to the public, fire, and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. No buildings, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the utility easements as shown. Said utility easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance of efficiency of its respective system on the utility easements and all public utilities shall at all times have the full right of ingress and egress to and from and upon the said utility easements for the purpose of construction, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purposes of reading meters and any maintenance and service required or ordinarily performed by that utility. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Denton.

BEGINNING at a point at the Northeast corner of said DW CARMEL tract in the intersection of Edwards Road and Swisher Road;

THENCE S02°39'52"W, a distance of 733.52 feet along the East line of said DW CARMEL tract to a point;

THENCE N87°46'03"W, a distance of 480.37 feet to an 1/2" iron rod found at the Northwest corner of a tract of land described in the deed to J. Doss Phillips and wife, Glynis Phillips recorded in County Clerks Instrument No. 97-0000117, Deed Records, Denton County, Texas;

THENCE along the West and South lines of said Phillips tract as follows:

1. S02°35'13"W, a distance of 298.09 feet to an 1/2" iron rod found at the Southwest corner of said Phillips tract;

2. S87°23'23"E, a distance of 29.67 feet to a point;

THENCE Southwesterly, 285.55 feet along a non tangent curve to the right, having a radius of 817.50 feet, a central angle of 20°00'47" and a chord bearing S23°29'50"W, 284.10 feet to a point;

THENCE S33°30'13"W, a distance of 15.67 feet to a point in the North line of a tract of land described in the deed to Georgina Nunez recorded in County Clerks Instrument No. 95-033684, Deed Records, Denton County, Texas;

THENCE N88°25'13"W, a distance of 79.53 feet to an 1/2" iron rod found at the Northwest corner of said Nunez tract, being the Northeast corner of said Astra Carmel tract

THENCE N87°57'21"W, a distance of 78.12 feet along the North line of said Astra Carmel tract to a point;

THENCE Southwesterly, 64.99 feet along a non tangent curve to the left, having a radius of 817.50 feet, a central angle of 04°33'17" and a chord bearing S31°31'21"W, 64.97 feet to a point;

THENCE N60°45'18"W, a distance of 110.00 feet to a point;

THENCE Southwesterly, 27.04 feet along a non tangent curve to the left, having a radius of 927.50 feet, a central angle of 01°40'13" and a chord bearing S28°24'36"W, 27.04 feet to a point;

THENCE N62°25'30"W, a distance of 50.00 feet to a point;

THENCE N21°03'59"W, a distance of 13.14 feet to a point;

THENCE westerly, 47.33 feet along a non tangent curve to the left, having a radius of 175.00 feet, a central angle of 15°29'47" and a chord bearing N79°23'14"W, 47.19 feet to a point;

THENCE N87°08'08"W, a distance of 490.21 feet to a point;

THENCE S02°51'52"W, a distance of 107.96 feet to a point;

THENCE N87°53'05"W, a distance of 155.01 feet to a point;

THENCE N02°06'55"E, a distance of 100.00 feet to a point;

THENCE N87°58'05"W, a distance of 50.01 feet to a point in the West line of said DW CARMEL tract, from which an 1/2" iron rod found at the Southwest corner of said DW CARMEL tract bears S02°01'55"W, a distance of 9.51 feet;

THENCE N02°01'55"E, a distance of 270.76 feet to along said West line of DW CARMEL tract to a point;

THENCE S87°08'08"E, a distance of 50.01 feet to a point;

THENCE S02°01'55"W, a distance of 100.01 feet to a point;

THENCE S87°08'08"E, a distance of 571.60 feet to a point;

THENCE N02°51'52"E, a distance of 160.00 feet to a point;

THENCE N87°08'08"W, a distance of 10.01 feet to a point;

THENCE N02°51'52"E, a distance of 779.95 feet to a point;

THENCE S87°08'08"E, a distance of 13.95 feet to a point;

THENCE N02°51'52"E, a distance of 209.52 feet to a point in the North line of said DW CARMEL tract;

THENCE S87°17'38"E, a distance of 1,025.71 feet along said North line of DW CARMEL tract to the point of beginning, containing 27.746 acres of land.

The bearings recited hereon are oriented to NAD 83, Texas North Central Zone.

This is to Certify that I, Herbert S. Beasley, a Registered Professional Land Surveyor of the State of Texas, have surveyed the above described property on the ground, and that all lot corners, angle points, and points of curve shall be set after construction and will be 1/2" iron rods capped and stamped "BEASLEY RPLS 4050". Irons that are damaged, disturbed, or not so marked are not original

preliminary this plat shall not be filed any purpose.

Herbert S. Beasley R.P.L.S.
Texas Registration No. 4050

CERTIFICATE OF APPROVAL

Approved on this ____ day of _____, 2016, by the Planning and Zoning Commission of the City of Denton, Texas:

P&Z Chairperson

ATTESTED

City Secretary of the City of Denton, Texas

OWNER/DEVELOPER
ASTRA CARMEL, LLC
3723 GREENVILLE AVE.
DALLAS, TEXAS 75207
214-662-5530

OWNER/DEVELOPER
DW CARMEL, LLC
5305 VILLAGE CREEK DRIVE
PLANO, TEXAS 75093-4810

ENGINEER
Z PROFESSIONAL SERVICES
1111 MAIN STREET, SUITE 129
GRAPEVINE, TEXAS, 76051
817-865-5029

SURVEYOR
HERBERT S. BEASLEY LAND SURVEYORS L.P.
P.O. BOX 8873
FORT WORTH, TEXAS 76124
817-429-0194
FAX 817-446-5488
E-MAIL hsbeasley@msn.com

NOW, therefore, know all men by these presents:

That, Astra Carmel, LLC, acting by and through the undersigned, its duly authorized agent, and DW CARMEL, LLC, acting by and through the undersigned, its duly authorized agent, do hereby adopt this plat designated herein as Villages of Carmel, Phase 5B, an addition to the City of Denton, Denton County, Texas. The easements shown hereon are hereby reserved for the purposes as indicated. All streets, and right-of-ways, are hereby dedicated in fee simple to the public. The utility and fire lane easements (streets, alleys, and common areas) shall be open to the public, fire, and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. No buildings, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the utility easements as shown. Said utility easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance of efficiency of its respective system on the utility easements and all public utilities shall at all times have the full right of ingress and egress to and from and upon the said utility easements for the purpose of construction, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purposes of reading meters and any maintenance and service required or ordinarily performed by that utility. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Denton.

WITNESS MY HAND at Denton, Denton County, Texas, this the ____ day of _____, 2016.

Astra Carmel, LLC

By: _____

WITNESS MY HAND at Denton, Denton County, Texas, this the ____ day of _____, 2016.

DW CARMEL, LLC

By: _____

STATE OF TEXAS §

COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared _____ of Astra Carmel, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2016.

Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared _____ of DW CARMEL, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2016.

Notary Public, State of Texas

NOTES:
MINIMAL FINISH FLOOR ELEVATIONS (MFF) PROVIDED BY Z PROFESSIONAL SERVICES.

TAPS MADE TO EXISTING WATERLINES OR RELOCATION OF FIRE HYDRANT SHALL BE DONE BY THE CITY OF DENTON AT THE EXPENSE OF THE CONTRACTOR EXPENSE. CONTACT KENT CONKLE WITH THE WATER DEPARTMENT AT 940-349-7181.

TAPS MADE TO EXISTING SEWER LINES SHALL BE DONE BY THE CITY OF DENTON AT THE EXPENSE OF THE CONTRACTOR EXPENSE. CONTACT JUSTIN DIVINEY WITH THE WASTEWATER DEPARTMENT AT 940-349-8489.

THE PURPOSE OF THIS PLAT IS TO CREATE 87 NR-6 LOTS AND 2 NON-RESIDENTIAL LOTS.

WHEN POST OAK BLVD. IS CONSTRUCTED THE "C" FACTOR WILL INCREASE AND FLOW REROUTED.

IMPORTANT NOTICE

THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 30 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.

PROJECT NO. FP16-0002

Final Plat
of
VILLAGES OF CARMEL, PHASE 5B
Being 87 NR-6 Lots,
1 Common Area Lot,
and 1, RD-5X Lot,
being 27.746 acres of land located in the
Gideon Walker Survey, Abstract No. 1330,
City of Denton, Denton County, Texas.
Prepared January, 2016

Neighborhood Residential 1 Permitted Uses

RESIDENTIAL:

- P Agriculture, Single-family Dwellings, Community Homes for the Disabled
- L(7) Livestock
- L(1), SUP Accessory Dwelling Units

COMMERCIAL:

- P Home Occupation, Outdoor Recreation
- L(38) Temporary Uses
- SUP Equestrian Facilities

INDUSTRIAL:

- L(14) Veterinary Clinics
- L(27) Gas Wells
- L(37) Kennels

INSTITUTIONAL:

- P Parks and Open Space, Churches
- L(25) Basic Utilities
- L(41) WECS (Free Standing Monopole Structure)
- L(42) WECS (Building Mounted)

P = Permitted, L(#) = Permitted with a Limitation, SUP = Specific Use Permit

LIMITATIONS:

L(1) – Subject to the following criteria:

1. The proposal must conform with the overall maximum lot coverage and setbacks requirements of the underlying zone.
2. The maximum number of accessory dwelling units shall not exceed one per lot.
3. The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, and shall not exceed 1,000 square feet GHFA unless the lot meets the requirements of L(1).5.
4. One additional parking space shall be provided that conforms to the off-street parking provisions of the DDC.
5. The maximum GHFA of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, where the lot size is equal to or greater than 10 acres in size. An SUP is not required for such an accessory residential structure where the lot size is equal to or greater than 10 acres.

L(7) – Limited to two animals on parcels one to three acres in size. Additional animals may be added at a rate of one per each acre over three acres.

L(14) – Uses are limited to no more than 10,000 square feet of gross floor area.

L(25) – If proposed use is within 200 feet of a residential zone, approval is subject to an SUP.

L(27) – Must comply with the provisions of Subchapter 22, Gas Well Drilling and Production

L(37) – Five acre minimum land area required and no more than 25 kennels per acre allowed, included indoor and outdoor runs. A natural buffer strip is required adjacent to any residential use.

L(38) – Must meet the requirements of Section 35.12.9.

L(41) – Lots where the proposed WECS will be located shall have a minimum lot area of two acres. A maximum of one WECS is permitted by right. Multiple WECS are permitted only with approval of an SUP.

L(42) – Building mounted WECS may not extend higher than 10 feet above where the WECS is mounted on the building. The height shall be measured from the base of the WECS where it is mounted on the building to the highest point of the arc of the blades' elevation. If the WECS does not use blades, then height is measured from the base of the WECS where it is mounted on the building to the highest point of the WECS.

Neighborhood Residential 4 Permitted Uses

RESIDENTIAL:

- P Agriculture, Single-family Dwellings, Community Homes for the Disabled
- L(1), SUP Accessory Dwelling Units
- L(3) Duplexes
- L(7) Livestock
- SUP Attached Single-family Dwellings

COMMERCIAL:

- P Home Occupation, Outdoor Recreation
- L(38) Temporary Uses

INDUSTRIAL:

- L(27), SUP Gas Wells

INSTITUTIONAL:

- P Parks and Open Space, Churches
- L(25) Basic Utilities
- SUP Semi-Public Halls, Clubs, and Lodges, Adult or Child Day Care, Kindergarten, Elementary Schools, WECS

P = Permitted, L(#) = Permitted with a Limitation, SUP = Specific Use Permit

LIMITATIONS:

L(1) – Subject to the following criteria:

1. The proposal must conform with the overall maximum lot coverage and setbacks requirements of the underlying zone.
2. The maximum number of accessory dwelling units shall not exceed one per lot.
3. The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, and shall not exceed 1,000 square feet GHFA unless the lot meets the requirements of L(1).5.
4. One additional parking space shall be provided that conforms to the off-street parking provisions of the DDC.
5. The maximum GHFA of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, where the lot size is equal to or greater than 10 acres in size. An SUP is not required for such an accessory residential structure where the lot size is equal to or greater than 10 acres.

L(3) – In a subdivision of two acres or more, up to two units may be attached by a common wall if the lots which contain the attached structure do not abut the perimeter lot lines of a subdivision, the individual common wall units are on separate lots designed to be sold individually, and the comply with Subchapter 13. Additionally, units must have the appearance of a single-family residence from the street.

L(7) – Limited to two animals on parcels one to three acres in size. Additional animals may be added at a rate of one per each acre over three acres.

L(25) – If proposed use is within 200 feet of a residential zone, approval is subject to an SUP.

L(27) – Must comply with the provisions of Subchapter 22, Gas Well Drilling and Production

L(38) – Must meet the requirements of Section 35.12.9.

Neighborhood Residential Mixed Use (NRMU) Permitted Uses

RESIDENTIAL:

- P Dwellings Above Businesses, Live/Work Units, Community Homes for the Disabled
- L(7) Livestock
- L(40) Attached Single-Family Dwellings
- L(4), SUP Multi-Family Dwellings
- SUP Group Homes
- SUP Fraternity or Sorority House
- SUP Dormitory

COMMERCIAL:

- P Home Occupation, Hotels, Bed & Breakfast, Laundry Facility
- L(17) Retail Sales and Service, Professional Services and Offices
- L(11) Restaurant or Private Club
- L(14) Administrative or Research Facilities, Broadcasting or Production Studio
- L(38) Temporary Uses
- SUP Drive-through Facility, Quick Vehicle Servicing, Outdoor Recreation

INDUSTRIAL:

- P Veterinary Clinics
- L(21) Bakeries
- L(27), SUP Gas Wells

INSTITUTIONAL:

- P Community Service, Parks and Open Space, Churches, Semi-Public Halls, Clubs, and Lodges, Adult or Child Day Care, Kindergarten, Elementary School, Middle School, Elderly Housing, Medical Centers
- L(25) Basic Utilities
- L(14) Business/Trade School
- SUP High School, WECS (Free-standing Monopole Support Structure), WECS (Building Mounted)

P = Permitted, L(#) = Permitted with a Limitation, SUP = Specific Use Permit

LIMITATIONS:

L(4) – Multi-Family is permitted only:

1. With a Specific Use Permit (SUP),
2. As part of a Mixed-Use Development; or
3. As part of a Master Plan Development, Existing; or
4. If the development received zoning approval allowing multi-family use with one (1) year prior to the effective date of Ordinance No. 2005-224; or,
5. If allowed by a City Council approved neighborhood (small area) plan.

L(7) – Limited to two animals on parcels one to three acres in size. Additional animals may be added at a rate of one per each acre over three acres.

L(11) – Limited to sit down only, and no drive up service permitted. Limited to no more than one hundred (100) seats and no more than four thousand (4,000) square feet of restaurant area.

L(14) – Uses are limited to no more than ten thousand (10,000) square feet of gross floor area.

L(17) – Uses that exceed twenty-five thousand (25,000) square feet of gross floor area per use require approval of a SUP.

L(21) – Baking and Bottling areas not to exceed two thousand five-hundred (2,500) square feet. Sales on premise of products produced required in the same zone.

L(25) – If proposed use is within 200 feet of a residential zone, approval is subject to an SUP.

L(27) – Must comply with the provisions of Subchapter 22, Gas Well Drilling and Production

L(38) – Must meet the requirements of Section 35.12.9