

## MEMORANDUM

**TO:** Planning and Zoning Commission

**FROM:** Michele Berry, Planning Manager

**DATE:** April 6, 2021

**SUBJECT:** **Public Hearing:** Consideration of a Zone Change Request from Light Industrial District (LI) to Planned Development - Mixed Use District (PD-MU); on an Approximately 35.77-Acre Tract of Land out of the P.K. Waggoner Survey, Abstract No. 1342; Located at the Northern Terminus of Summit Avenue on the West Side of IH-35E (North Stemmons Freeway) and the East Side of McGee Lane; as Requested by Randi Rivera, McAdams., on Behalf of Mehrdad Moayedi, MM Fronterra LLC, the Property Owner. (Case No. 20-01-1-PZ).

### **BACKGROUND**

The Planned Development (PD) district allows for innovative community design concepts which may not meet all regulations of the City's standard zoning categories but ensures a high-quality development with enhanced amenities and a customized design tailored for a particular site.

Fronterra is a proposed mixed-use development within the Northern Gateway Plan area, in the IH-35E Corridor Overlay District Core Subdistrict and in an area identified as an Identity Focal Point in the Lewisville 2025 Plan. Staff has been working with private developers since March 2018 on a plan for mixed use development of the site. An existing overhead transmission line, a 50-foot wide Atmos gas easement and ground water contamination from off-site sources constrain development of the property.

The final proposal creates three subdistricts: Townhomes, Urban Living, and Commercial Core with a combined 201 townhome units, 773 multifamily units (including 5,000 square feet of live/work units) and 40,000 square feet of ground floor commercial space. Trails connect open spaces within the property to surrounding neighborhoods. A large water feature will anchor the urban core district.

The applicant is proposing to create a planned development compatible with IH-35E Overlay regulations, though eight Alternative Standards are also requested. The Overlay District Board will need to make a recommendation on five alternative standards and a decision on three alternative standards.

### **ANALYSIS**

The proposed planned development will have a base zoning of Mixed Use (MU). The property is adjacent to and north of the McDonald's, Quik Trip, The Zone Action Park and small commercial

center on Justin road (FM 407). To the west, across McGee Lane are single family homes within the Verona Addition. This Planned Development zoning ensures that the development will be consistent with adopted plans and compatible with the surrounding properties by transitioning from higher density mixed use buildings along IH-35E to townhomes along McGee Lane. Three subdistricts are created within the PD for this transition: Commercial Core, which is adjacent to IH-35E, Urban Living which is central to the property and Townhome which is along the southwestern and western portion of the property.

#### *Commercial Core*

The land along IH-35E is proposed to have ground floor retail with residential above. The western side of building 1 on the concept plan will have multifamily units on the ground floor where facing townhomes. In total, 40,000 square feet of commercial space is provided on the concept plan. The ground floor commercial centers around a 0.8 acre publicly accessible but privately maintained open space that contains a large water feature, likely a pond. Residents will be able to access the pond area through the pedestrian trails and sidewalks in the development to congregate and recreate. In addition, the intent is that adjacent restaurants will benefit from the pond and patio by being able to have some outdoor dining.

Architecture of the Commercial Core is conceptual at this time but will incorporate a minimum of 70% stone or brick. The standards require 80% stone or brick but can be reduced to 70% if stucco is used for at least 25% of the elevation. This will allow a bit more flexibility in the final design of the buildings.

#### *Urban Living*

Two buildings are proposed in the Urban Living area. The buildings combined will contain a maximum of 494 residential units and each will have two-story structured parking garages. 5,000 square feet will be allocated for live/work units along Moccasin Trail. This is intended primarily for home office type users that may have customers by appointment. General retail sales, massage establishments, retail food establishments and establishments for animals or vehicle repair will be prohibited in the live/work units.

Each building consists of 60% brick or stone masonry and 39% stucco with a metal accent at the main leasing area. Since a developer is on-board for these units the elevations are more refined and closer to what the product will be. The designer has used larger windows openings and a change in materials to indicate the live/workspace to allow that ground floor area to function both residentially and commercially.

#### *Townhome*

A total of 201 townhome units are proposed. While most will be sold, due to environmental reasons, 64 may be rented. Proposed townhomes may be up to 3 stories and will include a 2-car garage though will not have a driveway to park in. As a result, staff has requested off-street parking at a ratio of 1 space per 4 units to allow guest and overflow parking. The designated off-street parking is in addition to striped on-street parking that may be used by the public. Some townhomes front onto open space areas, McGee Lane and a north/south trail over an existing gas line easement separating the townhomes from the Urban Living District. Where townhomes do not front a street,

a 24-foot-wide paved alley is provided for fire access. Townhomes will not have adequate yards for tree plantings; therefore, alternative street sections are proposed to allow for continuous street tree plantings as discussed below.

#### *Streets and Setbacks*

To provide walkability, sense of place and consistency through the development, the applicant has proposed two street sections: one for the extension of Summit Avenue and Moccasin Trail and one for the residential townhome streets. Setbacks are based on these proposed street sections. The paved travel lanes and on-street parking will be the public right-of-way and maintained by the City. The adjacent landscape area and sidewalk will be located within easements on private property and maintained by a Property Owner's Association or Homeowners Association. Sidewalks will be minimum 5 feet wide on the townhome streets and 7 feet wide on Moccasin Trail and Summit Avenue.

#### *Open Space and Amenities*

A 12-foot-wide trail on the north side of Moccasin Trail connects McGee Lane to the 50-foot wide Atmos easement and a north/south trail will run within that easement. This trail system layout will connect the various open space areas in the plan. The developer is providing about 3 acres of privately maintained but publicly accessible open space. Several small pockets of open space are under the transmission lines along the 12-foot-wide trail on the north side of Moccasin. On the south side of Moccasin is a central open space area that contains about 0.8 acres and will be open to the public with a flexible field, landscaping, benches and picnic tables. A pool for the townhome residents only is located in this area but not included in the 0.8 acres. The north/south trail in the 50-foot Atmos easement will connect to the open space and water feature in the Commercial Core Subdistrict. In addition to these spaces, a small private dog park will be provided for the townhome residents.

#### *Alternative Standards Requests*

Eight alternative standards are requested with this development in conjunction with the PD zoning. Three may be approved by the Overlay District Board and five require Council Action.

Five Alternative Standards Requiring Council Action:

- a) To allow a setback of 12.5-on the townhome streets and 14.5-foot setback on Moccasin Trail and Summit Avenue in lieu of the required 0- to 10-foot build to zone, a 14.5-to-35-foot build to zone along Moccasin Trail for the commercial and multifamily buildings in lieu of the requires 0- to 10- build-to zone and a build-out frontage of 70 percent in lieu of the required 80 percent for the commercial and multifamily buildings.

The build-to zones along primary pedestrian streets in the IH-35E Overlay are 0 to 10 feet. Based on the proposed street section with sidewalk and landscaping easements, the applicant is proposing a 12.5-foot setback on streets for the townhomes and a 14.5-foot setback along Moccasin and Summit. These setbacks will include a 5-foot planting strip and 5 or 7-foot sidewalk. This leaves the building setback 2.5 feet from the back edge of the sidewalk and within the code required build-to-zone if the sidewalk and amenity zone

were dedicated within the street right-of-way. The multifamily and mixed-use buildings fronting on Moccasin are proposed to have a built-to range of 14.5' to 35' and have minimum 70 percent of the building frontage by lot within this range. This range could also be seen as being 2.5 feet to 23 feet from the back of sidewalk. Buildings are generally brought to the street, as shown on the concept plan. Staff has no objection to this request. This may be recommended for approval by the Overlay Board and may be approved by City Council since the build-to zone is being increased by more than 60 percent.

- b) To allow a reduction of the landscape buffer along IH-35E to 15 feet in lieu of the required 20 feet.

The applicant is requesting to reduce the landscape buffer from 20 feet to 15 feet for the landscaping between the parking lot and IH-35E frontage. The required trees will be provided. There is limited space between the frontage road and the 50-foot Atmos easement. This allows convenience parking for the ground floor retail on Building 1. Staff has no objection to this request. This may be recommended for approval by the Overlay Board and may be approved by City Council since the percent deviation is 25% and related to landscaping.

- c) To allow a hotel parking ratio of 1 space per 2 rooms plus 1 space per 200 feet of commercial area in lieu of the required 1 space per 300 square feet.

The IH-35E Overlay District does not currently have a separate rate for a hotel use. It is simply considered commercial and must park at a ratio of 1 space per 300 square feet. This is excess parking for most hotels. In the event that the concept plan for the Commercial Core subdistrict is revised to include a hotel in the future, a parking ratio of 1 space per every 2 rooms plus 1 space per 200 square feet of commercial space. This ratio is our standard in Chapter 6 of the Land Development Code, less restrictive and more tailored to the demands of a hotel. Staff has no objection to this request. This may be recommended for approval by the Overlay Board and may be approved by City Council since the percent deviation is unknown at this time and would be based on the number of rooms and commercial area proposed.

- d) To allow an increase in the maximum block length to 1,000 feet in lieu of the require 600 foot maximum and to allow an increase in the maximum block perimeter to 3,000 feet in lieu of the required 1,600 feet maximum.

The applicant is requesting to increase the maximum block length to 1,000 feet. The largest block lengths and perimeters are around the Urban Living District and Commercial Districts and there are pathways for pedestrians to pass through the block either through an open space or a private drive. In addition, the southern row of townhomes backs up to existing commercial and is therefore constrained in the potential block length. This may be recommended for approval by the Overlay Board and may be approved by City Council since the percent deviation is above 60%.

- e) To allow a reduction to 60 and 70 percent stone or brick for certain buildings provided  $\frac{3}{4}$ " cement-based stucco is used for the remaining 30 or 35 percent in lieu of the required 80% stone or brick.

The applicant has provided conceptual elevations of all the buildings on site. The townhome elevations currently show 80 percent stone or brick and 20 percent stucco. The applicant is requesting to allow some flexibility by allowing the percent brick and stone to be reduced if the remaining 30 percent is cement based stucco on the townhomes. This will allow for more variety and flexibility in design. In the Urban Living District, the applicant is requesting that the percent brick or stone be reduced to 60 percent provided that 35 percent is cement based stucco, allowing up to 5 percent other materials such as the metal accent panels around the main entrance. In the Commercial Core, the applicant is requesting the percent brick or stone be reduced to 70 percent provided the remainder is 30 percent stucco. Staff has no objections as the request limit other secondary and less durable building materials. In addition, the applicant will follow all other design criteria in the IH-35E Overlay and has added a standard to ensure all windows have minimum 3" reveals. This may be recommended for approval by the Overlay Board and may be approved by City Council since the percent deviation is 25% and related to building materials.

#### Three Alternative Standards Approved by the Overlay Board:

- f) To allow alternative street sections by allowing a reduction in the streetscape zone to 10 feet in lieu of the required 12 feet, to allow a sidewalk width of 5-feet in lieu of the required 6-feet, to allow an amenity zone width 5-feet in lieu of the required 6-feet, to allow a travel lane width of 12 feet in lieu of the maximum 11 feet, and to allow the amenity zone to be on private lot with landscaping, irrigation and pedestrian easements in lieu of being in public right-of-way.

The applicant has proposed two street sections and two alley sections that would be specific to this development. Each section allows for two lanes of traffic and on-street parallel parking. This on-street parking is not included in any of the required parking ratios. Bulb outs narrow the street at intersections to allow safer pedestrian crossings. During the review of engineering plans, staff will require striped fire access areas near fire hydrants to ensure fire engine outriggers will fit to fight any potential fires on the three-story townhomes. The primary difference is that the travel lanes on Moccasin Trail and Summit are 12 foot wide, which is wider than the 11-foot travel lane permitted by the IH-35E Core Subdistrict street design standards but required by the Throughfare Plan classification of the streets. In addition, the amenity zone is decreased from 12 feet to 10-feet by reducing the sidewalk width in front of the townhomes to 5-feet and the parkway area to 5-feet. Root barriers will be required for the trees in the parkway. A different street layout was proposed prior to the identification of some ground water contaminants on site. The layout was then revised to mitigate the impact of the groundwater and maintain the maximum number of units that could be sold, and space became tighter than initially envisioned.

Standard 15-foot alleys in 20-foot right of ways are provided where townhomes front a public street. Wider, 24-foot-wide paved alleys in 30-foot right-of-way are proposed where units front onto an open space to allow fire access.

Staff has no objection to these proposed street sections. This may be approved by the Overlay Board, as there was no reduction over 25% related to landscape or 60% related to other standards. No action by City Council is required.

- g) To allow a reduction of the landscape area between a parking lot and street to 4 feet in lieu of the required 5 feet.

The IH-35E Overlay allows for either a 5-foot landscape strip with shrubs or a 3-foot masonry wall to screen parking areas adjacent to streets. There is a small area of parking for Building 1 along Moccasin Trail where this alternative standard is requested to reduce the buffer to 4-feet. The shrubs will still be planted. Due to the tight nature of the site and need for parking to ensure success of the commercial business, staff has no objection to this request. This request may be approved by the Overlay Board, as it is a reduction of 20%. No action by City Council is required.

- h) To allow a parking ratio of 1.445 parking space per unit for the Urban Living subdistrict in lieu of the required 1.5 spaces per unit.

The IH-35E Overlay requires 1.5 parking spaces required for each residential unit. The applicant is requesting an alternative standard for a ratio of 1.45. This is based on their needs at other locations and 1 space per bedroom and a mix of primarily one-bedroom apartments. This request may be approved by the Overlay Board, as it is a reduction of 3.6%. No action by City Council is required.

The purpose of the Planned Development zoning district is to accommodate innovative design concepts and provide flexibility in order to achieve a more desirable development. The proposed development offers community features including open space lots, street trees, pedestrian access to the adjacent schools, innovative screening and enhanced home design.

## **RECOMMENDATION**

It is staff's recommendation that Planning and Zoning Commission recommend approval of the zone change request as set forth in the caption above.