

## **MEMORANDUM**

**TO:** Claire Powell, City Manager

**FROM:** Richard E. Luedke, AICP, Planning Director

**DATE:** May 5, 2025

**SUBJECT:** **Public Hearing: Consideration of an Ordinance Amending Ordinance No. 0428-22-ZON to Amend the Planned Development Concept Plan set Forth in Exhibit 5B The Realm Subdistrict Concept Plan Thereto for 3.459 Acres Located South of the Intersection of Essex Boulevard and Parker Road (FM 544), Legally Described as Castle Hills H3, Lot 2, Block A, as Requested by McAdams, on Behalf of Eric Stanley, of Breco Lands CH LLC, the Property Owner. (Case No. 24-04-2-PZ)**

### **BACKGROUND:**

On January 3, 2022, the City Council adopted the Castle Hills Planned Development (PD) District, Ordinance No. 0428-22-ZON, that incorporated all provisions of the Castle Hills Development Agreement along with the variances to the agreement approved since 1996. The PD was adopted to ensure that zoning in Castle Hills was tailored to match existing development, and that future development is compatible and consistent with existing development. A previous request similar to this was made in 2024. The City Council denied (5-0) the previous concept plan amendment for the 3.459-acre area south of Parker Road (FM 544) on August 19, 2024. Since that denial, the applicant has met with the neighborhood and provided some additional information on the development. The Planning and Zoning Commission recommended denial by a vote of 4-3 on April 15, 2025. Since the Planning and Zoning Commission recommended denial, an affirmative vote of at least three-fourths of all members of the City Council is required to approve this request. The applicant has requested that the public hearing be continued to the May 19, 2025 City Council meeting to provide additional time to prepare additional details related to the site and the proposed project.

### **ANALYSIS:**

#### *Concept Plan Amendments*

The Lewisville zoning ordinance that existed when the Castle Hills PD was established required a concept plan be attached to a planned development district. Like in all planned development districts in Lewisville, the concept controls development, but can always be amended. Since the Castle Hills developer did not have a final plan for many of the undeveloped parcels within The Realm Subdistrict and since the need to move different components around was highly likely on these parcels, greater flexibility was built into The Realm Subdistrict with regard to the concept plan amendment processes. A process was provided that allowed staff to approve minor modifications to the concept plan. Major modifications to the concept plan would need to be amended like all other PDs in the City of Lewisville, with a zoning amendment plus public

hearings before approval. One difference is that for amendments to the Realm, the entire subdistrict, not just the 3.4 acres proposed to be amended, plus a 200 foot-buffer is sent a public hearing notice, whereas in the rest of Lewisville, the 200-foot-buffer is just from the subject property. According to Section V.C.2. of the PD, a major modification includes the addition or removal of buildings and changes to site circulation patterns that impact connectivity within the site and to surrounding development. The Planning Director determines if a proposed modification is a major or a minor modification. The Planning Director determined that the proposed changes constitute a major modification because the proposed project removes buildings and changes site circulation and traffic patterns that impact connectivity within the site and to surrounding development.

The Concept plan for the southern subarea of The Realm Subdistrict is being amended in its entirety per Ordinance No. 0428-22-ZON and notices were sent out accordingly. Many of the attached exhibits show only the areas proposed for changes for better clarity though the entire concept plan with amendments is also provided. This item pertains only to the area south of FM 544 (Parker Road).

During the adoption of the original PD, it was uncertain as to what would be built on this property. The concept plan showed eight pie-shaped lots fronting a circular shaped street, but no buildings. Originally staff thought these were buildings, but a clearer image shows them to be numbers labeling lots. The site contains a base zoning district of General Business Two (GB-2), which contains zero setbacks for front, side and rear yards along with an unlimited height restriction since the site is located over 150 feet from any residential base zoning districts. If this site were adjacent to a base residential district, then the height would be limited to 45 feet, except that the height may be increased up to a maximum of 12 stories or 180 feet in height at the rate of 2 feet of additional height for each 1 foot of additional setback from required setback lines. The site has several development challenges including an odd shape, floodplain, grade, limited access on FM 544, limited visibility, adjacency to railroad right-of-way and utility easements. Infrastructure exists to support the proposed use as it was previously extended by the developer.

The proposed revisions show a single building with ground floor commercial and four stories of multifamily residential above. The building footprint is 14,631 square feet and covers less than 10 percent of the lot area. The proposed height is five stories of just over 60 feet in height to accommodate 61 proposed multifamily housing units. Residential units above commercial uses in The Realm Subdistrict do not count toward the 5,000-unit multifamily cap for the entirety of Castle Hills and is a permitted use in the GB-2 base zoning district. In August of 2024, the height of the building was a concern for nearby residents. The applicant has included a sight line analysis to better understand the visual impacts. The proposed building is 350 feet from the nearest single-family structure situated across the railroad tracks to the west. If the project is approved, the developer will construct a traffic signal at FM 544 to accommodate traffic. This was a concern of the neighborhood to the north during a community meeting held on February 5, 2025.

#### **CITY STAFF'S RECOMMENDATION:**

That the City Council continue the public hearing to the May 19, 2025 City Council meeting.