

## MEMORANDUM

**TO:** Claire Powell, City Manager

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

**DATE:** December 16, 2024

**SUBJECT:** **Consideration of an Alternative Standard Associated With Ground-Mounted Equipment Standards for Walmart; on 20.9714 Acres, Located at 190 East Round Grove Road (FM 3040), Legally Described as Lot 2, Block A, Campbell Ranch; Zoned Light Industrial (LI), as Requested by Juan Moreira, of Kimley Horn, on Behalf of the Owner, Wal-Mart Real Estate Business Trust (24-08-12-AltStd)**

### BACKGROUND:

Walmart has been expanding its business operations to include drone delivery services. Drone delivery service is already available in Lewisville at the 801 West Main Street Walmart location, provided by the drone operator company, Wing. Zipline, another drone operation company, will be providing the service at the 190 East Round Grove Road (FM 3040) Walmart location. Zipline is proposing a new launching technology (towers). The current Unified Development Code (UDC) screening requirements do not easily apply to this new configuration being proposed, thus requiring the approval of an alternative standard. The Planning and Zoning Commission recommended unanimous approval (6-0) on November 19, 2024.

### ANALYSIS:

As drone delivery services are becoming more popular, the City of Lewisville is in the process of updating the UDC to create supplemental standards for unmanned flight systems (a.k.a drones). A work session was held with the City Council on June 17, 2024 to review the proposed ordinance. The proposed drone ordinance would not require docking stations or launch pads to be screened from view. Currently, the ordinance is in its final stages of refinement and is expected to be scheduled for Planning and Zoning Commission and City Council consideration in the coming months.

Zipline's drone operation involves nine double-dock charging stations and two single-dock launch pad towers. These would be considered ground-mounted equipment by our current code. The current standard for screening of ground-mounted equipment requires the screening height to be equal to or greater than the height of the equipment being screened per UDC Section VIII.5.4. A video demonstrating Zipline's delivery process can be viewed here: <https://bit.ly/Zipline12-16-2024>

Each cluster of double-dock charging stations and single-dock towers will be enclosed by an 8-foot tall open fence.

*Requested Alternative Standard:*

- a) To waive the required screening for ground-mounted equipment for a drone system, a 100% reduction.

*Screening the double-dock charging stations*

The double-dock charging stations are approximately 29-feet tall. They will be split into two clusters (four and five) and will be located at the southwest corner of the property, near SH 121 Business. Walmart will extend an existing retaining wall on the side of the property along SH 121 Business to the southwest corner where the proposed double-dock charging stations will be located. The top 12 feet of the stations will be visible from SH 121 Business. An 8-foot-tall open fence will be mounted on top of the retaining wall for security. Eight trees will be planted near the top of the retaining wall to provide additional screening from the street.

*Screening the single-dock launch pad towers*

Two single-dock towers will be located along the west exterior of the building. These towers are used by the drones to load items going out for delivery from a kiosk inside the store. Walmart will replace missing trees along SH 121 Business to bring the property back into compliance and to help provide screening. The single-dock towers are setback approximately 200 feet from SH 121 Business but will be visible from the right-of-way.

Had the proposed drone ordinance been adopted prior to this application, alternative standards would not have been required for this project. The alternative standard being requested aligns with the purposes and intentions of the UDC and they are consistent with the comprehensive plan. Moreover, it maintains harmony with the overall objectives and intent of relevant development regulations and the character of the LI zoning district. Additionally, it adheres to all other applicable standards and requirements specified in the UDC. The modification being sought is kept to the minimum necessary to address the unique condition related to the proposed development. The requested alternative standard will not have any adverse effects on adjacent properties and uses. Staff finds this request to be consistent with the criteria for approval within Section IV.4.9 of the UDC.

**CITY STAFF'S RECOMMENDATION:**

That City Council approve the Alternative Standard as set forth in the caption above.