

## **MEMORANDUM**

**TO:** Planning & Zoning Commission

**FROM:** Michele Berry, Planning Manager

**DATE:** July 2, 2024

**SUBJECT:** **Consideration of two Alternative Standards Associated With Window and Awning/Canopy Requirements for a Retail Store or Shop on an Approximately 3.29-Acre Lot, Legally Described as Blake C. Bowen Addition, Block A, Lot 2; Located at the on the North Side of Justin Road (FM 407) Approximately 400 Feet West of IH-35E; Zoned Light Industrial (LI) District, as Requested by Samuel Mortimer, the Architect, on Behalf of Lewisville 407 & 35, the Property Owner. (Case No. 24-08-9-AltStd)**

### **BACKGROUND:**

This proposed development lies in the IH-35E Corridor Overlay Core Sub-District, and as such has enhanced requirements to the design requirements. Six alternative standards were previously granted due to multiple easements within the site related to the primary pedestrian street and other site features due to significant easement constraints. The two standards requested now are not related to the easement constraints but are due to a new prototype elevation and layout being design for Spec's Wine, Spirits & Finer Foods (Spec's). The new layout include new racking systems which are not conducive to windows.

### **ANALYSIS:**

To proceed with the permitting process, the property must comply with all standards specified by the UDC, including section VI.8 referenced above.

#### *Requested Alternative Standard:*

- a) To replace the required 40% ground floor window along the primary pedestrian street with a 12% windows and utilizing a second brick color to mimic the pattern and rhythm of windows required by Subsection B.3.a.5) .
- b) To reduce the 75% canopy coverage along the primary pedestrian street to 18%.

The purpose of the window and awning requirements is to be more engaging to pedestrians passing by. The pedestrian route is along the west side of the building where other methods of interest are being provided in brick patterning. While some foot traffic is expected here as the area developed the majority will be along Summit Avenue where there is a signal to cross FM 407 (Justin Road). The alternative standards being requested align 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 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:**

Staff recommends that the Planning & Zoning Commission recommend approval of Alternative Standard as presented.