

## MEMORANDUM

**TO:** Planning and Zoning Commission

**FROM:** Michele Berry, AICP, Planning Manager

**DATE:** May 7, 2024

**SUBJECT:** **Regular Hearing: Consideration of two Alternative Standards Associated With Screening and Lighting Standards for a Proposed Commercial Building on a 3.29-Acre Lot, Legally Described as Blake C. Bowen Addition, Block A, Lot 2; Located 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, Planning Agency LLC, on Behalf of Lewisville 407 & 35 Partnership, the Property Owner (Case No. 24-04-6-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. Four alternative standards were previously granted due to easements. As the project has progressed and is to the point of electric work two new alternative standards are requested; a) to allow a transformer box to be screened with an alternative method as shown in the exhibits and b) to allow two areas where the minimum lighting level is below 0.5 footcandles. The overlay district does not impact the uses permitted in the base Light Industrial (LI) Zoning District. The Planning and Zoning Commission may approve alternative standards or recommend approval of alternative standards to the City Council if they find that hardship or practical difficulties may result from strict compliance with the Overlay District regulations, provided that such exception shall not have the effect of nullifying the intent and purpose of the regulations.

### ANALYSIS:

Spec's Family Partners, Ltd. (Spec's Wines, Spirits & Finer Food's a.k.a. Spec's) plans to build a retail store of 14,000 square feet on the subject site. The first step proposed is to subdivide the existing lot to create a 1.29-acre lot for Spec's. The site layout is complicated by a 20-foot-wide access easement, a 30-foot-access easement, a 50-foot-wide gas easement, a 60-foot-wide electric easement, a 15-foot-wide water line easement, and a 10-foot-wide utility easement. The 60-foot electric easement cuts through the site at an angle, restricting where the building may be placed. As they have moved on in their design they are now having trouble placing the electric transformer and light fixtures. Below is the buildable area highlighted in yellow.



**CITY STAFF’S RECOMMENDATION:**

That the Planning and Zoning Commission recommend approval of the two alternative standards as set forth in the caption above.