

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, AICP, Planning Director

DATE: August 16, 2021

SUBJECT: **Consideration of a Variance to the Lewisville City Code, Section 6-37(1) Regarding the Timing of Parkland Dedication (or Cash-in-Lieu of) and Payment of Park Development Fees for Sparrow Senior Living, Located on 9.997 Acres and Legally Described as Lot 1R-1 and Lot 1R-2. Block A Valley Ridge Addition Phase IV; Zoned Medical District (MD); Located on the South Side of Valley Ridge Boulevard Approximately 600 Feet East of Garden Ridge Boulevard, as Requested by Joseph A. Fraccaro of Kimley-Horn and Associates, Inc. on Behalf of Milton Barber, Sparrow Partners, the Developer and Craig Martin, Lewisville Independent School District, the Property Owner.**

BACKGROUND:

The City Council approved the zone change to Medical District on March 15, 2021, to allow the development of Sparrow Senior Living, a retirement community with 192 dwelling units, on the site. City staff has since worked with the applicant on the final plat for this development and established the required park fees. Because the purchase of this property from the Lewisville Independent School District (LISD) is in process, the developer is requesting a variance to delay the dedication of parkland (or cash-in-lieu of) and payment of the parkland development fee until the issuance of the first building certificate of occupancy, at which time all due amounts will be paid in full, and the property will be dedicated by an amending plat.

ANALYSIS:

Requested Variance:

To delay the parkland dedication (or cash-in-lieu of) and park development fee until the issuance of the first building certificate of occupancy, at which time all due amounts will be paid in full unless otherwise provided in an executed development agreement with the city.

Section 6-37(1) of the Lewisville Land Development Regulations: Park Fee Processing and Collection, requires that the parkland dedication requirement (or cash-in-lieu of) and park development fee be paid at the time of filing a final plat for all residential developments. Typically, the unimproved land would be dedicated to the city on the plat (or cash-in-lieu of) and the park development fee paid when the plat is submitted for signatures. In this case, the developer is currently working to close on the property with LISD and cannot dedicate the property until after they close. The closing is contingent on Final Plat approval. The developer is requesting this

variance to delay the dedication of parkland (or cash-in-lieu of) and payment of the park development fee to the time of the issuance of the first building certificate of occupancy. This will allow the current final plat to be filed without dedication, the developer to close on the property, an amending plat with dedication to be submitted reviewed and filed, without holding up development of the property. A similar variance was previously approved for the Villages at Lewisville (NRP), Heritage Trails and Parker Place.

RECOMMENDATION:

It is City staff's recommendation that the City Council approve the variance as set forth in the caption above.