

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: October 15, 2018

SUBJECT: **Public Hearing: Consideration of an Ordinance Granting a Zone Change From Light Industrial District (LI) to Mixed-Use District (MU) with Three Associated Variances Regarding Drainage, Right Turn Lanes and Screening; on Approximately 3.695-Acres, Legally Described as Lot 1, Block C, Highpoint at Timber Creek Addition, Located on the Northwest Corner of Rockbrook Drive and Oak Bend Drive; as Requested by Jason Rose, JR Rose Architecture, on Behalf of the Koulogeorgiou Family Revocable Trust, the Property Owner. (Case No. PZ-2018-09-13).**

BACKGROUND

The subject property is vacant and zoned Light Industrial. The north side is bounded by a creek and the remaining sides have street frontage. The properties adjacent to the north and across Uecker Lane to the west are zoned Multi-Family 2 (MF2) with existing apartment complexes. The property across Oak Bend Drive to the south is zoned Agricultural Open Space (AO) and Light Industrial (LI) and contains vacant land and Offices. The property across Rockbrook Drive to the east is zoned Medical District (MD) and contains an assisted living facility.

The applicant proposes to develop 27 single family detached residential units on a single common lot. The shallow depth of the lot, the presence of the creek, and a sharp change in topography makes developing this site challenging. As it is less than five acres in size, it does not qualify for a planned development zone change.

On September 18, 2018, the Planning and Zoning Commission recommend unanimous approval (6-0) of the zone change request.

ANALYSIS

The proposed development consists of 27 condominium units on one lot, treated as a multi-family development. This type of development is similar to other nearby developments, including Victoria Heights and Villas on Rockbrook, in that the detached units appear as single-family detached homes. This allows for individual ownership or renting of a detached unit but with a single land owner whether a separate organization or the home owners association. The development supports Big Move Number 5: New Neighborhood Choices from the Lewisville 2025 Plan, specifically the action item to “Encourage creative residential options including townhomes, live/work units, high end lofts, and age-restricted communities.”

On September 10, 2018 Council approved amendments to the MU Zoning District which allow flexibility of setbacks for urban contexts. These amendments also clarified the requirement for a

regulatory concept plan to be approved with any requested MU zone change. The applicant has provided a concept plan with this request. Any changes to zoning standards such as building height or number of units will require an amended concept plan with two public hearings. Any other significant changes would be required to obtain approval from the Planning and Zoning Commission.

Development Standards

The proposed 27 units are a minimum of 1,800 square feet and two stories or 27-feet in height. The minimum side setback is 15-feet and the minimum front setback is 20-feet. These setbacks are comparable to the Townhouse (TH) and Townhouse 2 (TH2) zoning district standards. The proposed lot coverage is 19.5 percent. For reference, the maximum lot coverage in the TH zoning district is 70 percent. This demonstrates the applicant's intent to preserve open space and existing trees.

Architecture

The applicant has proposed a modern style product that consists of 80-percent white brick, meeting the minimum masonry requirements per the Land Development Code. Additional materials are cypress wood to build on the natural aspects of the site.

Access and Parking

All access is taken from Oakbend Drive. Three driveways provide access to the units and one driveway provides access to the guest parking and cluster mailbox. Each unit has two garage spaces and two driveway spaces, meeting the requirements of the Land Development Code for a detached single family structure. In addition, ten guest parking spaces are provided.

Landscaping, Open Spaces and Amenities

The development is unique in the effort to preserve open space and trees on the property. Units will be clustered along three drives and many will front on open space areas. The heavily wooded creek accounts for most of the open space. In addition, the applicant is keeping open space between the units that will be landscaped with additional trees and trails. A cluster mailbox and dumpster will serve all residential units. The dumpster is screened, and it is anticipated a trash service will collect trash from each unit to take to the dumpster. The applicant wishes to preserve the drainage swale along Uecker Lane in its natural state in order to preserve trees. This will require a variance to not pipe the drainage underground. Staff has no objection to this variance request

Variances

Three variances are requested for the development:

- a) to waive the requirement to convey existing drainage with less than 200 cfs. in a closed system and allow open drainage.

This is requested for the open ditch drainage area along Uecker Drive. Section 6-96 (b) of the Land Development Regulations require drainage facilities with less than 200 cfs. to be contained within a closed or underground pipe system. Several large trees have grown in this area and would be required to be removed in order to install an underground system. The area is in a drainage easement on part of the common lot. This area would be maintained by the homeowner's association. Staff has no objection to this request.

- b) to waive the requirement to construct a right turn lane at the intersection of Rockbrook and Oak Bend.

Section 6-92 (j) of the Land Development Regulations requires the construction of a right turn lane at the intersection of any four-lane collector with a two-lane collector. The applicant has requested this based on existing and anticipated traffic conditions. Staff has no objection to this request.

- c) to waive the requirement for masonry screening walls and allowing a horizontally oriented wood screening fence along Oakbend Drive and natural screening along Uecker Drive and along the north property line adjacent to the multi-family property.

Section 6-142 of the Land Development Regulations require masonry screening walls along thoroughfares when single family detached units side or back up to the thoroughfare. Section 6-143 of the Land Development Regulations require masonry screening walls between single family and multi-family uses. Based on the units being detached condominiums, the applicant has requested a variance to the single-family screening wall standards. The applicant is proposing a wooden screening fence along Oakbend Drive where units side to the street. The proposed screening fence is horizontally oriented to complement the building architecture. Units face towards Rockbrook Drive so no screening is required. No screening is proposed adjacent to Uecker Drive as there is an existing drainage area with vegetation. No screening is proposed along the north property line adjacent to the multi-family development as the creek and trees provide a natural buffer the applicant wishes to have as an amenity. Wood fencing along Oakbend Drive and natural screening along the northern property line will require a variance. No screening would be required for a multi-family product. Staff has no objection to these variances.

The proposed development provides low-maintenance home ownership opportunities while preserving trees and open space on a challenging site and supports Big Move Number 5: New Neighborhood Choice from the Lewisville 2025 Plan.

RECOMMENDATION

That the City Council approved the ordinance and the three associated variances as set forth in the caption above.