

MEMORANDUM

To: Donna Barron, City Manager

From: Richard E. Luedke, Planning Director

Date: April 15, 2019

Subject: **Consideration of a Variance to Section 6-37 of the Lewisville City Code Regarding the Timing of the Parkland Dedication Requirement for The Village at Lewisville, a Proposed Multifamily Development Located at the Northeast Corner of Summit Avenue and Grandys Lane; Further Identified as a Portion of Lewisville Corporate Center, Lot 1 Block A; as Requested by Cross Engineering Consultants on Behalf of The NRP Group, the Developer, and FLSC LTD & FLCT LTD & NSHE Alpha Accommodation LLC, the Property Owner.**

BACKGROUND

The Planned Development Ordinance for the Villages of Lewisville was adopted in 2015 to ensure a mixed-use development with significant open space. A mixed-use development with residential components is more compatible with Northern Gateway Plan and the 2025 Plan than the industrial uses previously proposed. It was originally intended that the entire 90.588-acre area would have a master developer; however, the property owner has chosen to sell tracts to individual developers. To ensure unity throughout the development, the City has been coordinating with two developers looking at the majority of the acreage and the entirety of the open space to create a master open space plan for the overall development. This plan is being prepared by Talley and Associates who are under contract with The NRP Group and the second developer. A three-way development agreement will be necessary to implement the master open space plan.

ANALYSIS

The conceptual master open space plan presented exceeds the minimum requirements of the planned development. Completion of a more detailed open space master plan with cost estimates is anticipated in six weeks to two months. The development agreement and any parkland dedication cannot be finalized until after the final master open space plan is complete. Any further permitting delays will impact financing for The NRP Group. Chapter 6-37 requires The NRP Group to dedicate approximately 10.41 acres of parkland on the final plat for the project or provide cash-in-lieu of parkland dedication. To allow The NRP Group to move forward, staff is proposing the following variance request:

Variance Requested to Section 6-37 of the Lewisville City Code:

- a) To allow the parkland dedication requirement (or cash-in-lieu of parkland dedication) to be paid prior to the issuance of the final certificate of occupancy.

Delaying the parkland dedication requirement (or cash-in-lieu of parkland dedication) to a point in time prior to the issuance of the final certificate of occupancy will allow for the completion of the master open space plan and the associated development agreement that will guide the implementation of the master open space plan.

RECOMMENDATION

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