

PLANNING AND ZONING COMMISSION DRAFT MINUTES, OCTOBER 5, 2015

PUBLIC HEARING AGENDA Item #18 – Z151002 - Zoning Change - Southgate (City Council District 6). Senior Planner Denice Thomas presented the case report and gave a Power Point presentation for a request to rezone 64.30 acres from Agriculture (A) District, Planned Development-185 (PD-185) and Planned Development-308 (PD-308) Districts to a Planned Development District for multi-family and commercial uses. The 64.30-acre property, zoned Agriculture (A) District, Planned Development-185 (PD-185) and Planned Development-308 (PD-308) Districts, is generally located south of Ragland Road between State Highway 360 (SH 360) and Day Miar Road, is within the State Highway 360 (SH 360) Corridor Overlay District. The agent is Rob Parsons, Gateway Planning and the owner is Charlie Anderson, TA Land Fund LP.

Mrs. Thomas stated the existing base zoning is Commercial-One district. The proposed base zoning will remain C-1; however, a portion of the property will be zoned Multi-family-Three district. All zoning will defer to the Unified Development Code as amended except where expressly called out in the PD ordinance. The property is split-zoned. A portion of the property is zoned A District and the balance is zoned PD-185 with base zoning of C-1 District. The proposal would expand the boundary of PD-185 district and allow for MF-3 uses, in addition to the existing C-1 uses. The C-1 district provisions, as called out in the PD-185 ordinance will not change. The MF-3 dimension requirements will be the regulations in the adopted UDC, as amended, except where expressly called out in the PD. The applicant is requesting deviations to the MF-3 requirements in the UDC. The table below provides a comparison of the adopted MF-3 standards and the proposed MF-3 standards with the requested deviations. Article 10 of the UDC requires no less than 30% of the minimum required parking to be attached parking garages. The applicant is requesting relief from this requirement to allow no less than 15% of the minimum required parking to be attached parking garages. Additionally, Article 10 requires a minimum of 20% of all required garage parking for the total complex to have parking garages directly accessible to the living area of an apartment unit and the garage shall be assigned to the same unit; this provision is not met by the proposed PD amendment. All other adopted UDC provisions, as amended, will be met.

Mrs. Thomas stated the applicant is proposing to phase the development of the 64 acres. Infrastructure and access will be provided concurrent with development as proposed and presented by the applicant. Working documents that indicate adequate infrastructure and access have been reviewed by staff. The working documents will be used as guiding documents for the concurrent provision of infrastructure and access. The applicant is proposing 10 appeals to the UDC:

- *Density* – The maximum net density permitted for the MF-3 district is 24 dwelling units per acre. The applicant is proposing 35 dwelling units per acre. Staff does not object to this appeal.
- *Front Setbacks* – The applicant is requesting approval to reduce the front yard setback from 100 feet to 10 feet. Staff's position is that this appeal should be considered at the site plan stage when detailed elevations and site designs are available. Staff does not

have enough information to make a recommendation regarding front yard setback reductions at this time.

- *Side Setbacks* – The applicant is requesting approval to reduce the side yard setbacks from 75 – 110 feet (depending on the height of the building) to 20 feet; reduce the side yard setback adjacent to streets from 75 – 110 feet (depending on the height of the building) to 10 feet; and to reduce the side yard setback adjacent to an arterial from 100 feet to 10 feet. Staff is of the opinion that this appeal should be considered at the site plan stage when an engineered site plan, complete with building layouts, roads, and detention (if required), is available. Staff does not have adequate information to make a recommendation regarding side yard setback reductions at this time.
- *Rear Setbacks* – The applicant is requesting approval to reduce the rear yard setback from 75 – 110 feet (depending on the height of the building) to 10 feet. Staff is of the opinion that this appeal should be considered at site plan when elevations and an engineered site plan are available. There is insufficient information available for Staff to make a recommendation regarding rear yard setback reductions at this time.
- *Masonry Composition* – The UDC requires 90% primary masonry on all façades of the multi-family buildings. The applicant is proposing 80% primary masonry. Staff is of the opinion that this appeal should be considered at site plan when elevations are provided. Staff does not have adequate information to make a recommendation regarding building materials composition at this time.
- *Attached Garages* – The UDC requires a minimum of 30% of the minimum required parking to be attached garages and a minimum of 20% of the 30% must be direct access to the living area of the unit and dedicated for use to that unit. The applicant is request an appeal to reduce the amount of attached garages to 15%. If granted, this request would also reduce the number of direct access garages for dedicated use as well. Staff is of the opinion that this appeal request should be considered at site plan when elevations and an engineered site plan are available. Staff does not have enough information to make a recommendation regarding the reduction of attached garages appeal at this time.
- *Fences* – Fences are currently required between non-residential and residential uses. The applicant is requesting an appeal to eliminate the requirement for internal streets and property lines. Staff is of the opinion that this appeal should be considered at site plan when building elevations and an engineered site plan is available. There is inadequate information for Staff to make a recommendation regarding fencing at this time.

Mrs. Thomas stated the Development Review Committee met with the applicant to discuss this proposal on September 24, 2015. The item was cleared to move forward to the Planning and Zoning Commission subject to conditions. Due to the appeal Staff cannot recommend full support; however, staff does not oppose approval subject to conditions. Any outstanding comments found in City Case File, #Z150202, must be addressed.

Chairperson Garrett asked if we have ever allowed any multi-family density to this extent.

Mr. Crolley replied no.

Chairperson Garrett noted there were no more questions for staff, opened the public hearing, and asked for speakers.

Scott Polikov, 3100 McKinnon Street, Dallas, TX was present representing the case and to respond to questions from the Commission. Mr. Poliko gave a presentation of the project. He stated there is not enough roof tops in this area to bring in the retail development first therefore they are proposing the multi-family development at this time.

Commissioner Womack asked how many units they would have and would this project impact the Mansfield school district.

Mr. Polikov stated this development would market couple with and without children.

Commissioner Womack asked how the retail would come in without the roof tops, and how is this project a high quality project when they are asking for appeals to all of our quality requirements, and asked staff if they are in agreement with this development.

Mr. Crolley stated if you visit their other complexes in the metroplex he would agree that they are very nice developments.

Commissioner Spare asked how many retail pad sites we would have once S.H. 360 is extended.

Mr. Crolley replied this is the only site between Camp Wisdom and Hwy 287.

Commissioner Spare asked why this site could not be utilized by retail development only, because he does not agree this multi-family.

Mr. Polikov said he should want this type of development in his city if Flower Mound and Allen have it, why not Grand Prairie.

Charlie Anderson with TA Land Fund LP, 4801 West Lovers Lane, Dallas, TX stepped forward in support of this request. He said they have conducted a market study on multi-family and would be glad to submit a copy to staff. Mr. Anderson noted several developments he has work on throughout the city. He stated this is a very unusual site, the last large parcel of retail zoning. He stated they would like to create the residential development first in order for the retail to come in.

Commissioner Moser stated he is impressed that Mr. Anderson knows our city and what is going on and he appreciates them for wanting to move forward in this direction therefore we need to look at this development.

Jerry Pierce, 1509 Caplin Drive, Arlington, TX adjacent property owner, said he is not opposed to this development, but needs more information on what is being constructed.

Commissioner Womack stated they would be putting in all of the infrastructure and utilities for the multi-family first in order to bring in the retail.

Commissioner Motley stated we are looking at ten appeals for this project when would the information be obtained. Mr. Motley said this corner is very important we should be cautious how we deal with this site.

Mrs. Thomas replied during the site plan approval process.

Mr. Anderson stated since the setbacks deal with the density if the Commission would prefer they would be comfortable with 30 units per acre.

Commissioner Perez said he is sure staff has worked hard on this project and the applicant is very knowledgeable on what he wants to developed and asked that the Commission move forward.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case Z151002 as presented and recommended by staff, granting the applicants requested appeals, and the density be of 30 dwelling units per acre. The action and vote being recorded as follows:

Motion: Moser

Second: Perez

Ayes: Garrett, Johnson, Lopez, Dr. Perez, Philipp, and Moser

Nays: Womack, Motley, Spare

Approved: **6-3**

Motion: **carried.**