



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** June 8, 2020

SUBJECT: ZC 2020-03, Ordinance No. 3649, Public hearing and consideration of a request from The John R. McAdams Company Inc. for a zoning change from AG (Agricultural) to R-PD (Residential Planned Development) at 8320 Davis Boulevard, being 3.93 acres described as Tract 7A4, Stephen Richardson Survey, Abstract 1266. (CONTINUED FROM THE MAY 18, 2020, CITY COUNCIL MEETING)

PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

On behalf of LCT Properties (owner) and Real Estate Equities Development, LLC (developer), The John R. McAdams Company Inc. is requesting a zoning change from AG (Agricultural) to R-PD (Residential Planned Development) to allow for the development of independent senior-living apartments on 3.93 acres located at 8320 Davis Boulevard.

At the May 18, 2020, meeting, City Council closed the public hearing and continued this item to the June 8, 2020, meeting.

GENERAL DESCRIPTION:

The site under consideration is located on the east side of Davis Boulevard, between Thornbridge Drive and Timber Drive. The site is currently developed with a single-family residence and detached garage.

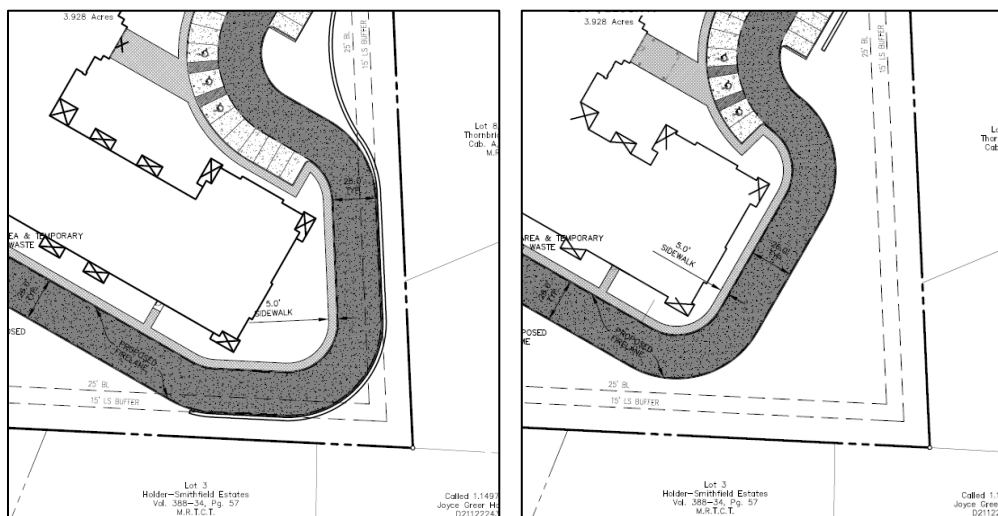
The proposed use of the property is a 55-unit independent senior-living apartment development. This proposal includes a single four-story building housing three (3) one-bedroom units and 52 two-bedroom units. The height of the building varies with the terrain, ranging from about 47 feet on the east side of the building to nearly 59 feet on the southwest corner of the building along Davis Boulevard.

Common amenities in the project include a community room, exercise room, garden plots, an outdoor walking trail, and other indoor and outdoor gathering spaces.

SITE DATA SUMMARY CHART		
	ORIGINAL PLAN	REVISED PLAN
Existing Zoning	AG	AG
Proposed Zoning	R-PD	R-PD
Future Land Use	Office Commercial	Office Commercial
Proposed Land Use	High Density Residential	High Density Residential
#/ of Residential Units	61	55
Gross Acreage	3.928 acres	3.928 acres
Residential Density	15.53 du/acre	14.00 du/acre
Maximum Height	59 feet	56 feet
PROVIDED PARKING		
Surface Parking	42	38
Underground Parking	63	57
ADA Parking	5	5
Total	105	94
Parking Ratio	1.72 spaces/unit	1.71 spaces/unit

Site Plan. The primary purpose of this Planned Development zoning district is to permit the uses proposed. Independent senior-living apartments require special use permit approval in the R-7-MF zoning district and are not normally allowed in commercial zoning districts. The attached site plan package would also be a component of the PD zoning.

PLAN UPDATE: The applicant has revised their site plan to address concerns expressed at the May 18 City Council meeting. The primary change was the reduction of the building size at the southeast corner of the building eliminating six residential units (two units per floor). This also effected the alignment of the circulating fire lane. See the below side-by-side comparison of these areas of the plans and attached plans for details.



Detention Pond. A detention pond is proposed near the southwest corner of the site. A detention pond requires approval of a special use permit and is included in the PD zoning standards for this request.

Landscaping. Approximately 56% of the site would be maintained in landscaped area. This includes buffer yards, landscape setbacks, the detention pond area, parking lot, and general site landscaping. An open space area on the north side of the property includes a looped walking trail and the preservation of nine (9) existing oak and cedar trees. Garden plots and the detention area are located on the south side of the property.

PLAN UPDATE: The applicant has revised its landscape plan to address concerns expressed by the Planning & Zoning Commission, City Council and the public. See the attached plans for details.

Driveway access. Two driveways are proposed to serve the property. The primary driveway is located on the north side of the development. The Texas Department of Transportation (TxDOT) has granted conceptual approval of a drive approach on the south side of the property, with the condition that the driveway include a mountable curb and be used only for emergency access. As such, an emergency access gate is provided on the southern driveway. No gate is proposed on the northern driveway.

PLAN UPDATE: The applicant and the City have re-engaged TxDOT for conceptual approval to switch the emergency access connection from the south drive to the north drive. Doing so would reduce the amount of vehicular traffic circulating the building, since the refuse collection location and access to 60% of the on-site parking (garage access) is provided on the south side of the building. A response was still pending from TxDOT at the time of report publication.

Solid waste service. A permanent refuse container enclosure is not provided on the property, as the containers would be located in the underground parking garage. The developer proposes to roll the containers out of the garage on the designated pickup day, and place the containers in an area adjacent to the garden plots for pickup. The containers would be moved to the location inside the garage after being serviced.

Parking. There are 94 total parking spaces provided, which is equivalent to 1.71 spaces per unit. The site includes 38 surface parking spaces around the building and 57 parking spaces underneath the building. Ingress and egress from the parking garage is located on the south side of the building. As described below, the required number of parking spaces under the R-7-MF Multifamily zoning district would be 136 spaces. The applicant has provided a parking study of their other properties nationwide indicating the minimum parking required specific to their clientele and property design. The parking study is attached for review and reference. For further reference and comparison, the TOD code would require 83 parking spaces (1.5 spaces per unit) and the Town Center (Hometown) zoning district would require 109 parking spaces (1.98 spaces per unit).



The application for Residential Planned Development proposes to adopt a base district of R-7-MF Multifamily. The table below summarizes the requested deviations from the R-7-MF zoning standards. These standards are also covered in the attached “Land Use and Development Regulations.”

PROPOSED ALTERNATIVE PD STANDARDS TO R-7-MF ZONING		
STANDARD	R-7-MF DISTRICT	PROPOSED PD
Minimum lot area	4 acres	3.928
Minimum front building line	25 feet	18 feet
Maximum Height	50 feet	56 feet
Maximum Number of Stories	Buildings placed within 60 feet of property lines adjacent to R-1 or R-3 districts shall be single story. Beginning at 60 feet from said property line, additional height of structures shall be allowed at a ratio of a three to one slope until a maximum height of 50 feet is obtained. (i.e. three stories permitted at approximately 120 feet set back from single family).	Three-story building permitted within 73 feet of property zoned R-3 (Timber) and 89 feet of property zoned R-1 Single Family (Thornbridge) as shown on the Site Plan.
Masonry screening walls and fences	Where a multifamily development is adjacent to a C4U thoroughfare, or larger, as shown on the master thoroughfare plan, said screening shall consist of a permanent decorative masonry screening wall, not less than six feet in height, constructed along and adjacent to said thoroughfare.	No screening wall requirement along Davis Blvd
Gated entry	All multifamily developments shall provide for secured and controlled access to the development. Gated entries utilizing guard stations and/or security gates shall be required.	No gated entry required.
Parking	2 spaces per one bedroom unit 2.5 spaces per two or more bedroom unit. (application would require 150 parking spaces)	1.71 spaces per unit (94 spaces)



UPDATES TO PROPOSAL SINCE MAY 18 CITY COUNCIL: The applicant has made the following revisions to address comments and concerns raised during the May 18 City Council meeting.

COMMENT / CONCERN	APPLICANT RESPONSE
a. Step the building back by removing units from the southeast wing.	Applicant has agreed and reduced the number of residential units from 61 to 55, whereby pulling the building 38 feet further from Thornbridge single family and 20 feet further from Timber Drive single family. The fire lane was also relocated.
b. Review opportunities for reducing the height of the building.	The finished floor elevation of the building has not changed from the 666 feet quoted during the May 18 City Council meeting. The applicant has changed the roof pitch from 6:12 to 5:12, resulting in a 3-foot height reduction.
c. Provide more line-of-sight renderings of the building.	Applicant has provided additional building elevation renderings. See attached exhibits.
d. Provide stamped and stained concrete crosswalks.	Applicant provided stamped and stained design on 2 of the 5 crosswalks.
e. Provide details on natural stone retaining walls.	Details have been provided for the proposed wall system and are part of the attached Exhibit C.
f. Remove all PTACs from the plan.	Applicant has agreed and removed all PTAC units.
g. Provide an 8-foot masonry wall adjacent to all existing single family.	Applicant has agreed and updated all plans and PD standards to reflect an 8-foot Superior Cobblestone™ concrete panel wall adjacent to single family.
h. Provide an updated photometric plan that reflects the commitments made by the applicant at the May 18 City Council meeting regarding outdoor lighting.	Applicant has provided an updated photometric plan with a combination of 12-foot tall parking lot light poles and bollard lighting.
i. Extend first-floor building façade materials to the ground level.	Applicant maintains the same materials. No changes have been made.
j. Revise the design of the main entry.	Applicant has revised the main entry by increasing window glazing.
k. Adopt the following Town Center Design Standards: <ul style="list-style-type: none"> a. Window coverage b. Window sills c. Window jambs d. Window heads e. Balcony door heads f. Balcony floors g. Balcony railings h. Eaves i. Gutters and downspouts 	Applicant has agreed to all but the following: <ul style="list-style-type: none"> a. Window coverage b. Balcony floors



STAFF REVIEW: Independent senior-living apartments could provide an amenity to North Richland Hills residents to age in place, have residents' parents and grandparents closer, and provide an alternate source of daytime population in the community. However, the staff Development Review Committee does not support the proposed zoning change and this proposed use at this location for the reasons outlined below.

The most significant reason for the staff Development Review Committee's recommendation for denial is concern that the scale, height and context of the proposed 4-story, 55-unit multifamily building is not in line with the existing residential development or the character of the area along the Davis Boulevard corridor. The 45-foot tall east elevation would be within 94 feet of existing Thornbridge single-family residential to the east and approximately 48 feet tall within 73 feet of Timber Drive residences to the south. R-7-MF District standards maintain that three-story multifamily buildings should be no closer than 120 feet to existing single-family properties. The 56-foot tall west building elevation would also be located 44 feet from the travel lanes of Davis Boulevard.

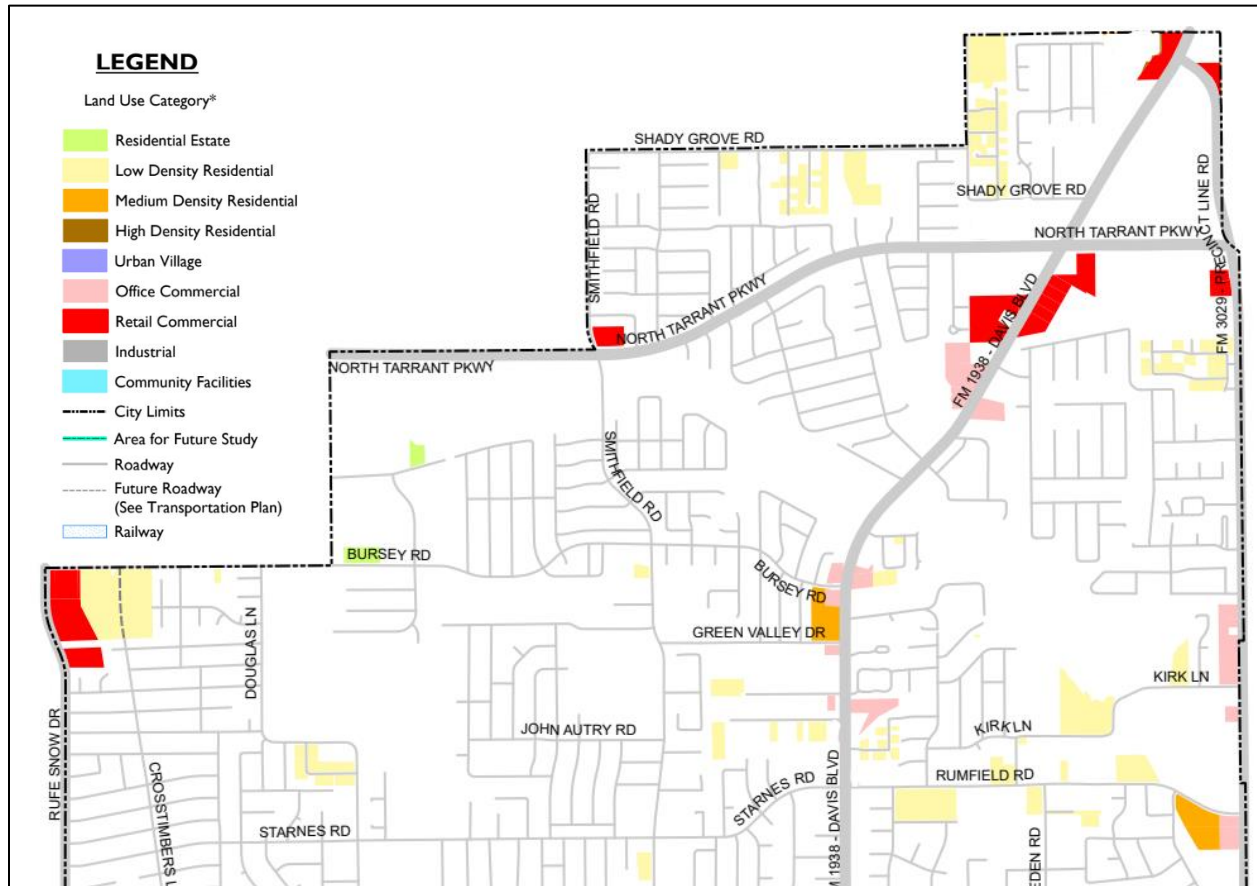
Vision2030, the Comprehensive Land Use Plan for North Richland Hills, recommends Office Commercial on this property. This designation encourages professional, medical, and administrative office as well as limited commercial establishments that benefit adjacent and nearby residential areas, and in which all business and commerce is conducted indoors. It encourages the development of a variety of office types including traditional and garden style office buildings, executive suites, and co-working spaces. The Vision2030 Plan was developed over an 18-month period by a committee of North Richland Hills residents and business owners. The plan was adopted by the City Council in July 2019 after numerous public meetings and community input. The purpose of the recommended land use in this area is to provide a more diversified and balanced land use mix, increase daytime professional and visitor population, and bolster existing and planned retail commercial uses in the area. The vision for this 3.9 acres would be a garden office development of single-story pitched-roof offices and other neighborhood service uses that blend well with the existing neighborhoods and homes in that area.

Current office vacancies on the north side of North Richland Hills are just under 16 percent and are in line with Tarrant County in general. New office construction continues to be requested and permitted in the vicinity, demonstrating a healthy professional office demand in this area. A new garden office development is in the works on Precinct Line adjacent to the new Thornbridge North neighborhood, and there is additional new professional office construction taking place at the intersection of North Tarrant Parkway and Davis Boulevard. In addition, the existing mid-block garden office along Davis Boulevard south of this proposed development is 100% leased.

The following residential projects north of Starnes/Rumfield are currently in the development or construction phase, showing continued residential growth. The list does not include the 26 acres at the southeast corner of Bursey and Rufe Snow, which may yield approximately 90 single-family residential units in the near future.

DEVELOPMENT	#/UNITS	# PERMITTED	# REMAINING	% COMPLETE
Thornbridge North	67	45	22	67%
Fresh Meadows	54	13	41	24%
St. Joseph Estates	25	12	13	48%
Woodbert (Sayers Ln)	9	6	3	67%
Smith Farm	21	5	16	24%
Watermere	228	0	228	0%
Total	404	81	323	20%

The map below highlights all remaining vacant land north of Starnes/Rumfield and their Vision2030 Land Use Plan designation. Very few vacant “Office Commercial” (pink) tracts remain to support the continued residential growth in the area.



Vision2030 Land Use Plan – Vacant Land North of Starnes/Rumfield



The Development Review Committee does not discourage high-density residential growth. Rather, it encourages new multi-family development occur in the zoning districts that already entitle or plan the use, including the Urban Villages of Town Center, Iron Horse TOD, Smithfield TOD, and City Point; as well as existing R-7-MF districts. In certain circumstances, the DRC would also support redevelopment of existing multi-family properties into newer, more modern properties at higher densities. The DRC does not recommend greenfield development of new multi-family uses outside of zoning districts that already entitle the use or are recommended as High Density Residential or Urban Village on the Land Use Plan.

COMPREHENSIVE PLAN: This area is designated on the Comprehensive Land Use Plan as Office Commercial. This designation encourages professional, medical, and administrative office as well as limited commercial establishments that benefit adjacent and nearby residential areas, and in which all business and commerce is conducted indoors. It encourages the development of a variety of office types including traditional office buildings, executive suites, and co-working spaces.

CURRENT ZONING: The property is currently zoned AG Agricultural. The AG district is intended to preserve lands best suited for agricultural use from encroachment of incompatible uses, and to preserve in agricultural use, land suited to eventual development into other uses pending proper timing for practical economical provisions of utilities, major streets, schools, and other facilities so that reasonable development will occur.

PROPOSED ZONING: The proposed zoning is R-PD Residential Planned Development. The proposed change is intended to allow the use of the property and establish site and building design standards for the development.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	R-1 Single-Family Residential	Low Density Residential	Single-family residences
WEST	AG Agricultural C-1 Commercial PD Planned Development	Office Commercial	Vacant Veterinarian clinic
SOUTH	R-3 Single-Family Residential	Low Density Residential	Single-family residences
EAST	R-1 Single-Family Residential	Low Density Residential	Single-family residences

PLAT STATUS: The property is currently unplatted. A subdivision plat of the property will be required prior to the issuance of building permits for the site. Engineering plans must also be approved by the City Engineer prior to plat application.

PUBLIC INPUT: Following posting of the public hearing signs on the subject property, the Planning & Zoning Department received public input on the request. Copies of the correspondence is included in the “Public Input” attachment.

The Texas Local Government Code states in part that if written opposition is signed by the owners of at least 20% of the area of the lots or land included in the 200-foot notification area surrounding the property, the affirmative vote of at least three-fourths of all members of the governing body is required to approve the request.

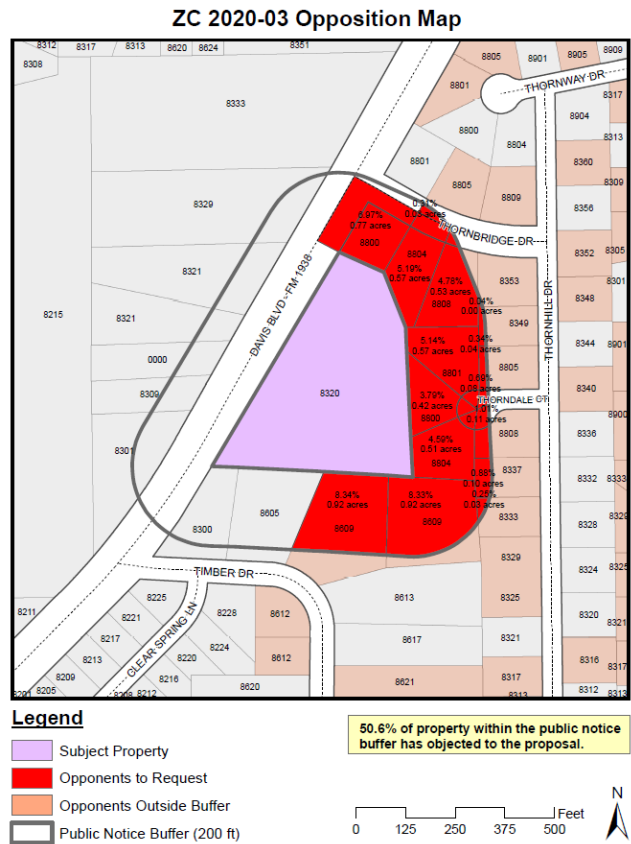
A written petition was submitted that includes 150 signatures, mostly residents in the adjacent neighborhoods. The analysis of the written petition indicates that the owners of 50.6% of the land area signed a petition in opposition to the request. Consequently, approval of the application will require at least six (6) affirmative votes by City Council. A copy of the petition and a map showing the opposition area are attached.

A review of the written correspondence (not including the petition) received at the time of report publication is summarized in the table at right. This count only includes properties and does not count multiple submittals from the same household. See Public Input attachment to review all correspondence.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the May 7, 2020, meeting and voted 4-2 to recommend denial (Welborn, Deupree). The applicant has submitted the required appeal in order to be considered by City Council.

RECOMMENDATION:

Deny Ordinance No. 3649.



EMAILS/LETTERS RECEIVED		
POSITION	NUMBER	PERCENTAGE
Favor	11	24%
Opposed	34	74%
Neutral	1	2%