



## PLANNING AND ZONING COMMISSION MEMORANDUM

**FROM:** Planning & Zoning Department    **DATE:** August 3, 2023

**SUBJECT:** ZC23-0072 Public hearing and consideration of a request from Rick Figueroa for a special development plan for a transitional parking lot at 6412 Davis Boulevard, being 6.93 acres described as Tracts 2A2, 2A2F, 2C1, 2C1D, and 2C1D1, John H. Barlough Survey, Abstract 130.

**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

Rick Figueroa is requesting approval of a special development plan (SDP) in the Smithfield Transit Oriented Development (TOD) district. The applicant proposes to construct a transitional parking lot on the property to provide additional parking spaces for the adjacent property to the north. The site is located on the east side of Davis Boulevard and south of Main Street.

### **GENERAL DESCRIPTION:**

The project is located within the "General Mixed Use" Character Zone of the Smithfield TOD District. This subzone is generally outside the immediate influence of the transit station and is intended to permit a wide range of uses that includes retail, office, residential, cottage and service-oriented industrial activities.

The property is currently developed with a gas pipeline valve station located near the south center of the site. Constructed in 2011, the valve site is connected to natural gas gathering lines that serve gas well sites in the area. The property is accessed by a drive approach on Davis Boulevard with a paved access drive that connects to the valve site.

In 2014, a special development plan (SDP) was approved for a gas drilling site on the property for Chesapeake Energy. The "BJG" drilling site proposed six gas wells on 2.25 acres. While the drilling site was never developed, the SDP was approved and is still in effect. The SDP was approved by City Council on December 8, 2014 (Ordinance No. 3348).

The approved SDP included a master development plan that indicated potential building and street layouts for the subject property and surrounding area. The plan was intended to create a feasible concept plan for the area and ensure the gas drilling operation fit within the neighborhood context.

On the subject property, a street connection was proposed to connect Davis Boulevard to the rear of the site and provide circulation to Main Street and Cardinal Lane. A condition of approval of the SDP was that this street connection be dedicated as right-of-way and the street constructed to meet TOD standards. The street connection is a requirement of the Smithfield TOD regulating plan, which establishes the general location of streets and functions as a refinement of the Transportation Plan. The graphics below show the concept plan and the TOD regulating plan.



2014 CONCEPTUAL MASTER PLAN (ORDINANCE 3348)



SMITHFIELD TOD REGULATING PLAN (PORTION)

The applicant purchased the subject property at the end of 2022 and owns the property to the north which has developed with three (3) buildings over time. Special development plans have been approved for the property to the north, and the following is a summary of those approvals. This request for the transitional parking lot is directly related to the existing development on the adjacent property, and this relationship is discussed in more detail below.

- In 2014, the initial SDP was approved for the site to the north to allow for the renovation of an existing building for a custom metal fabrication business with screened outside storage. The approved standards established a parking requirement of one space per 250 square feet of commercial floor area. The SDP was approved by City Council on August 11, 2014 (Ordinance 3324).
- In 2018, a revised SDP was approved, which allowed for the construction of a warehouse building at the rear of the property. The approved standards established a parking requirement of one space per 447 square feet of commercial floor area. The SDP was approved by City Council on March 26, 2018 (Ordinance 3500).
- In 2019, a revised SDP was approved to allow for the construction of a two-story, 10,618 square foot office/commercial building on the west side of the property adjacent to Davis Boulevard. The SDP addressed approval of a brewpub use (Keyworth Brewery) and established a parking requirement of one space per 500 square feet of building area for the site. The SDP was approved by City Council on May 13, 2019 (Ordinance 3580).

Since 2019, a gym and fitness center business, Absolute ReComp, has occupied the entire 18,000 square foot “Building 2,” which is the first building constructed on the site that was originally planned for light industrial uses. The gym is a high-volume traffic generator. During peak business periods, gym members have difficulty parking on-site and had parked on the subject property until signage and barriers were installed by the previous owner prohibiting parking. Furthermore, the front “Building 1” approved in 2019, which will house Keyworth Brewery, is close to seeking certificates of occupancy. The applicant purchased the subject property in 2022 and is now seeking approval of an off-site transitional parking lot area to alleviate the parking situation and provide additional parking for the new building.

***Denial of Special Development Plan (ZC23-0050)***

On March 6, 2023, City Council denied a similar request for a transitional parking lot on this property. During the discussion concerns were raised about the limited scope of the proposal and the absence of a concept plan that included the remainder of the property. Additionally, the need for coordination of the development with adjacent properties was noted. More specifically, a critical 15-foot wide strip of land between the subject property and the gym/brewery lot is not owned by the applicant. Access through this 15-foot wide strip is necessary to connect the two properties for necessary driveway and sidewalk connections and overall traffic circulation.

**Special Development Plan (ZC23-0072)**

Following the denial of ZC23-0050, the applicant engaged a consultant to prepare a master conceptual plan for the property. A copy of the plan is attached. It provides a plan for the property under consideration and shows how the site could be connected to and developed in coordination with properties to the north, south, and east.



The applicant's immediate plans are to construct a transitional parking lot on the property. A transitional parking lot is a surface parking lot that is ultimately intended to be infilled with buildings to support the transit oriented development areas. Transitional parking lots require case-by-case approval in the TOD areas.

The proposed improvements include the construction of a new concrete parking lot with 91 spaces on the north side of the existing gas valve site access drive. Two parking lot drive aisles would connect to the property to the north, spanning an existing earthen drainage channel between the two properties. The connection would accommodate both vehicles and pedestrians.

The drainage channel is located on property not owned by the applicant, and an easement must be obtained to make the connection. The applicant and the drainage channel property owner are currently working on this arrangement. The attached Project Narrative includes correspondence indicating intent to convey an access easement once ownership is clarified.

As part of the request, the applicant is seeking approval to allow parking on the current unimproved surface until the construction of the new parking lot is complete. The applicant has identified an area of about 9,000 square feet at the northwest corner of the property along Davis Boulevard that would be used for temporary grass parking for



customers of the gym and the new building to the north. The Development Review Committee recommends denial of this request, and that the applicant comply with Section 118-831(9) of the Zoning Ordinance, which requires parking on paved surfaces.

### **Minimum Parking Ratios**

As summarized above, prior SDP approvals on the property north of the subject property have allowed the required number of parking spaces to decrease. The rationale for that decrease was that many of the originally proposed uses were planned to generate lower traffic and parking demand. This off-site parking lot would provide the number of parking spaces required to bring the site up to compliance with the minimum parking of the TOD and allow for future growth on the subject property itself. The below table summarizes the parking required by TOD code as it relates to the two properties.

	<b>Floor Area (SF)</b>	<b>Minimum Required Parking</b>
Building 1 (Keyworth)	10,618	43
Building 2 (Absolute Recomp)	18,000	72
Building 3 (Flex)	8,350	34
<b>Total</b>	<b>36,968</b>	<b>149</b>

With this proposed transitional parking lot, the applicant is providing a total of 154 parking spaces between both the existing property and this new parking lot area. This would satisfy the minimum number of parking spaces required.

**DRC REVIEW:** The Development Review Committee (DRC) evaluated the proposal based on the design intent and standards for the Smithfield TOD area and recommends denial of the request as presented. If the request were to be approved, the DRC recommends the following conditions:

1. No temporary grass parking on the property except for equipment and activities related to parking lot construction.
2. The parking lot must support a minimum total of 149 parking spaces between this property and the adjacent site to the north.
3. Prior to use, the parking lot must be completely constructed in accordance with City codes including landscaping and irrigation as required by Section 114-71(Landscaping regulations) of the Code of Ordinances.
4. A vehicular and pedestrian connection must be made to the property to the north. All connections must be located within an access easement to cross the drainage channel. The easements must be executed and recorded in Tarrant County public records prior to the issuance of paving permits.
5. All plans for the parking lot, including the crossing of the drainage channel, must be approved by the city engineer prior to the issuance of paving permits.

6. The entry drive aisle and parking lot must integrate features of a TOD General Street. These include minimum six-foot wide sidewalks, parking lot setbacks, and street trees. The drive aisle improvements must connect to Davis Boulevard. A minimum five-foot wide sidewalk must be provided along Davis Boulevard between the drive aisle and the north property line.

**COMPREHENSIVE PLAN & CURRENT ZONING:** This area is designated on the Comprehensive Land Use Plan and is currently zoned Transit Oriented Development. The purpose of the transit oriented development code is to support the development of the community's station areas into pedestrian-oriented, mixed-use urban neighborhoods, with convenient access to rail transit, shopping, employment, housing, and neighborhood retail services. The goal of each station area is to encourage an efficient, compact land use pattern; encourage pedestrian activity; reduce the reliance on private automobiles; promote a more functional and attractive community through the use of recognized principles of urban design; and allow property owners flexibility in land use, while prescribing a high level of detail in building design and form.

**SPECIAL DEVELOPMENT PLAN:** The applicant is requesting a special development plan for consideration of modifications to the standards of the transit oriented development district. The special development plan process is intended to allow applicants development flexibility to address specific market opportunities and/or contexts within the transit oriented development district. In evaluating a special development plan, the Planning and Zoning Commission and City Council must consider the extent to which the application meets the following:

- the goals and intent of transit oriented development in the city;
- provides an alternative "master plan" approach by consolidating multiple properties to create a predictable, market responsive development for the area;
- fits the adjoining context by providing appropriate transitions;
- provides public benefits such as usable civic and open spaces, livable streets, structured and shared parking, and linkages to transit; and,
- does not hinder future opportunities for higher intensity transit oriented development.

**PLAT STATUS:** The property is unplatted. A final plat of the property would be required to accommodate the proposed development of the site.

**CITY COUNCIL:** The City Council will consider this request at the August 14, 2023, meeting following a recommendation by the Planning and Zoning Commission.

**RECOMMENDATION:**



Deny ZC23-0072 as presented. Should the Planning & Zoning Commission choose to recommend approval of the transitional parking lot, staff recommends the following conditions be included in the recommendation:

1. No temporary grass parking on the property except for equipment and activities related to parking lot construction.
2. The parking lot must support a minimum total of 149 parking spaces between this property and the adjacent site to the north.
3. Prior to use, the parking lot must be completely constructed in accordance with City codes including landscaping and irrigation as required by Section 114-71(Landscaping regulations) of the Code of Ordinances.
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6. The entry drive aisle and parking lot must integrate features of a TOD General Street. These include minimum six-foot wide sidewalks, parking lot setbacks, and street trees. The drive aisle improvements must connect to Davis Boulevard. A minimum five-foot wide sidewalk must be provided along Davis Boulevard between the drive aisle and the north property line.