



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** November 14, 2016

SUBJECT: SUP 2016-04, Ordinance No. 3435, Public Hearing and consideration of a request from Noorneel, LLC for a Special Use Permit for the screening of loading docks facing a public street located at 8479 Davis Boulevard.

PRESENTER: Clayton Comstock, Planning Manager

SUMMARY:

Noorneel, LLC is requesting a Special Use Permit (SUP) for delivery entrances facing a public street. The property covers 5.11 acres on the south side of Shady Grove Road across from the intersection of Steeple Ridge Drive. One building already exists on the property and the owner proposes to construct additional buildings on the site. The building design includes loading areas facing Shady Grove Road, which requires approval of an SUP. The proposed development includes a landscape plan for screening the loading areas from the street.

GENERAL DESCRIPTION:

The property under consideration is a 5.11-acre lot located on the south side of Shady Grove Road across from the intersection of Steeple Ridge Drive. It is situated behind several retail and office buildings that front North Tarrant Parkway, and is immediately west of Chili's Grill & Bar. A medical office building was recently constructed and opened on the eastern end of the lot. The applicant proposes to construct three additional buildings on the site. A site plan for the project is currently under review by the Development Review Committee.

Due to restrictions on driveway access and the buildable area of the lot being below street level, the buildings would be constructed with the rear of the buildings facing Shady Grove Road. Generally, the buildable area of the lot is 6-10 feet below the street level, and the lot would include a retaining wall along Shady Grove Road. The rear of the buildings include loading areas and overhead roll-up doors. Section 118-871(I) of the zoning ordinance requires SUP approval for loading docks or delivery entrances that face a public street. In addition, the area must be screened with a living screen or wall. The owner has applied for an SUP to permit the loading dock arrangement and approve the landscape screening plan. Below is an excerpt from the zoning ordinance:

Section 118-871(l) Loading docks and delivery entrances facing public street. *Loading docks and delivery entrances facing a public street shall require approval of a special use permit in accordance with division 6, article II of this chapter. Loading docks and delivery entrances not facing a public street shall be screened from any public roadway. Service/loading areas shall be screened from view from property zoned for residential use or O-1 office district, designated on the comprehensive land use plan for residential or office use, or used or subdivided for residential use by a minimum six-foot tall masonry wall, a solid living screen or a combination thereof.*

The proposed landscape screening plan is attached. It includes a 15-foot wide buffer yard adjacent to Shady Grove Road for the entire width of the property. Within the buffer yard and at the top of the retaining wall, a hedgerow is proposed consisting of 207 evergreen shrubs including dwarf wax myrtle and Texas sage. There are 31 trees proposed in the buffer yard including Shumard oak, and evergreens Eastern red cedar, Arizona cypress, and Southern live oak. On average, the trees are spaced 20 feet apart. While the trees extend the entire width of the property, they are more concentrated in the portion of the development with the loading areas (see image below). A sight line study is also attached, which depicts how the screening would affect the visibility of the loading area from the street and the residential area across the street.

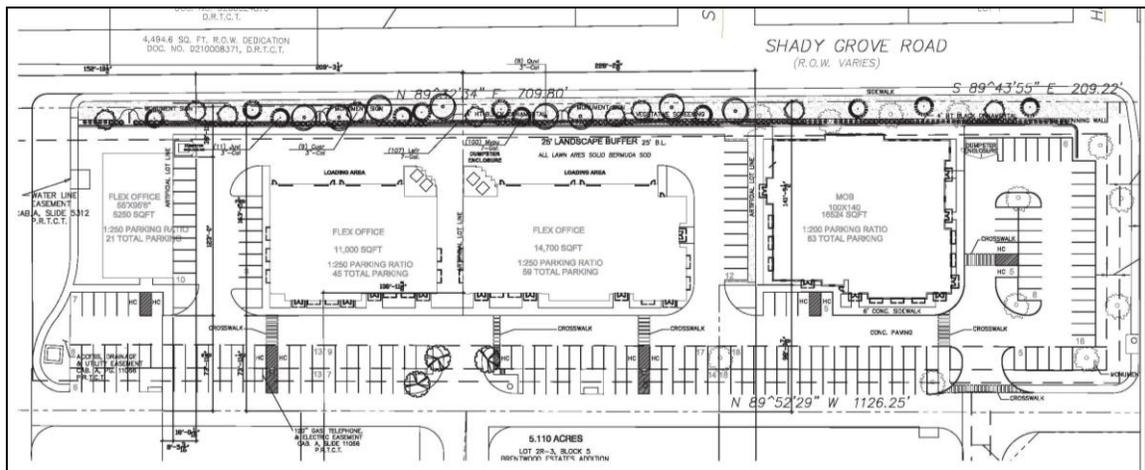


Figure 1 Landscape Screening Plan

SUP CONDITIONS. The zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use to reduce its effect on adjacent or surrounding properties. The following are the proposed conditions of approval for this SUP application.

1. *Permitted use.* A special use permit is authorized to permit the loading areas for two buildings to face Shady Grove Road, as shown in Exhibit "A."



2. *Landscaping improvements.* The buffer yard adjacent to Shady Grove Road must conform to the landscape plan as shown in Exhibit "A."
3. *Overhead door standards.* A building may have a maximum of two overhead doors facing Shady Grove Road. The overhead doors must not exceed ten feet in height.

COMPREHENSIVE PLAN: This area is designated on the Comprehensive Land Use Plan as "Retail." This designation is intended to permit a variety of retail trade, personal and business services establishments, and offices.

CURRENT ZONING: The property is currently zoned C-1 Commercial. This district is intended to provide for development of retail service, and office uses principally serving community and regional needs. This C-1 district should be located on the periphery of residential neighborhoods and be confined to intersections of major arterial streets. It is also appropriate for major retail corridors as shown on the comprehensive plan.

No change in zoning is being requested. Therefore, any use currently permitted by right under the C-1 Commercial zoning district would continue to be permitted. The C-1 Commercial designation is the predominant commercial zoning district in confluence area of North Tarrant Parkway, Precinct Line and Davis Boulevard. The C-1 zoning permits retail sales, general professional and medical offices, restaurants, and other neighborhood service businesses. The C-1 zoning does not permit such activities as warehousing, self-storage, auto-related businesses, contractors' offices with shops and garages, overnight pet lodging, etc. [A full list of permitted uses can be viewed online here.](#)

PROPOSED ZONING: The applicant is requesting a Special Use Permit to permit loading docks to face a public street and approve the landscape screening plan for the loading docks. No zoning change is being proposed.

SURROUNDING ZONING | LAND USE:

- North:** R-2 Single Family Residential | Low Density Residential
- West:** C-1 Commercial | Retail
- South:** C-1 Commercial | Retail
- East:** C-1 Commercial | Retail

PLAT STATUS: The property is currently platted as Lot 2R3, Block 5, Brentwood Estates Addition.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the October 20, 2016, meeting and voted 5-1 to recommend approval, subject to a limit of two (2) overhead doors per building facing Shady Grove Road and the overhead doors not exceeding ten (10) feet in height. While the exhibits have not been updated by the applicant to reflect these recommendations, the applicant has agreed to the conditions. Ordinance 3435 has



therefore been crafted to reflect the recommendations of the Planning & Zoning Commission.

RECOMMENDATION:

Approve Ordinance 3435.