

## PLANNING AND ZONING COMMISSION MEMORANDUM

**FROM:** Planning & Zoning Department    **DATE:** February 2, 2023

**SUBJECT:** ZC21-0004 Public hearing and consideration of a request from TRC Architects for a zoning change from C-1 (Commercial) and R-7-MF (Multifamily) to NR-PD (Nonresidential Planned Development) at 3918-3920 Rufe Snow Drive and 3917-3921 Flory Street, being 1.04 acres described as Lots 5B1, 5C1, 8A, and 8B, Block 1, Jack M. Estes Subdivision.

**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

On behalf of Spears Enterprises LLC, TRC Architects is requesting a zoning change from C-1 (Commercial) and R7-MF (Multifamily) to NR-PD (Nonresidential Planned Development) on 1.04 acres located at 3918-3920 Rufe Snow Drive and 3917-3921 Flory Street. The applicant is proposing to renovate two existing commercial buildings and construct a new office building on the property.

### **GENERAL DESCRIPTION:**

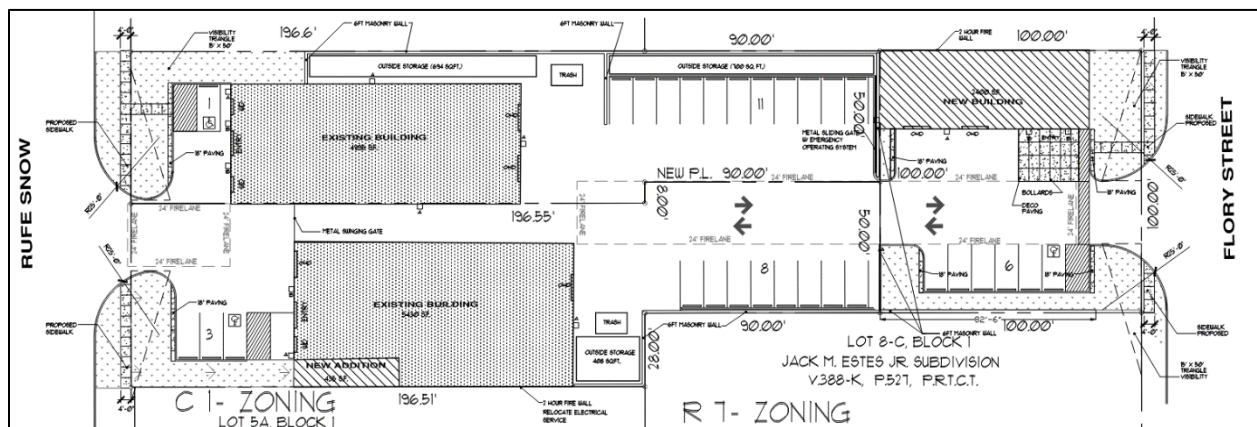
The property under consideration is located on the east side of Rufe Snow Drive north of Harmonson Road. The property extends from Rufe Snow Drive to Flory Street. The site is developed with two vacant commercial buildings fronting Rufe Snow Drive, and the property fronting Flory Street is vacant. Property to the north is vacant, and property to the south is developed with both commercial and residential uses.

A site plan package for the proposed development is attached. The owner proposes to renovate the two commercial buildings for their businesses. The buildings are intended for [DFW Freezer Rentals](#), a mobile walk-in freezer rental company, and Spears Refrigeration, a mechanical contracting company. A new office building is proposed to be constructed on Flory Street for their real estate investment company. The owner is seeking approval of an NR-



PD (Nonresidential Planned Development) district to allow the use of the property and to address modifications to specific site development standards for the property.

The northern building contains 4,995 square feet of floor area, and the southern building contains 5,430 square feet. An addition of 435 square feet is proposed for the southern building. The proposed building on Flory Street would include 2,400 square feet of floor area. The property would ultimately be replatted into three lots so that each building is located on a separate lot, with cross-access between the lots provided through common driving aisles.



Currently, the front yard area along Rufe Snow Drive is completely paved. The proposed improvements would remove paving to create a defined driveway entrance, landscape setbacks, and parking adjacent to the building. The primary parking lot would be constructed to the rear of the buildings. Combined, the three buildings would provide 29 parking spaces, which exceeds the required 19 parking spaces.

Due to existing developed conditions on the site, the owner proposes modifications to the landscaping standards, which are discussed in detail below. The landscape plan for the site addresses each building independently in anticipation of a future replat of the property. On both street frontages, 15-foot landscape setbacks, street trees, and screening shrubs would be installed. A landscaped buffer yard would be installed on the south side of the Flory Street lot as the adjacent property is zoned for residential use. A six-foot tall masonry screening wall would be constructed along the north and south property lines.

On Lots 1 and 2, areas for outside storage are delineated on the site plan. Outside storage is permitted provided the areas are located on the side or rear of the building, the area does not exceed 10% of the lot area, and the storage area is screened by a masonry screening wall. The proposed areas comply with these standards, with the storage area on Lot 1 being 8.7% of the lot area and Lot 2 being 2.2% of the lot area. All areas would be screened by the six-foot masonry wall described above.

The proposed conditions of approval for this NR-PD district are attached. Applications for rezoning to this district provide an opportunity to address modifications to specific site development and building design standards for the site. These conditions are based on

the applicant's proposed development of the property and the items described below. These conditions may be modified throughout the public hearing process, but they are subject to final approval by City Council.

### ***Land use***

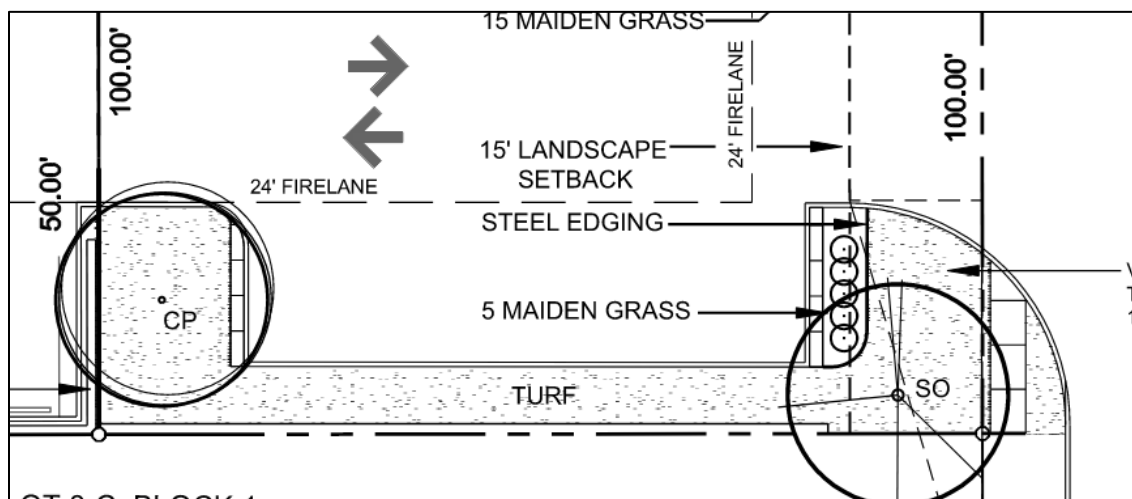
The proposed land uses for the property include some that are not permitted in the existing C-1 (Commercial) district. In addition to the owner's businesses, other proposed uses include cabinet shop, contractor's office with shop and garage, lawn maintenance and service shop, motorcycle repair shop, moving or storage company, pest control service, print shop, upholstery shop, and warehousing. The applicant is seeking approval of an NR-PD (Nonresidential Planned Development) district to include these uses as permitted businesses on the property.

### ***Landscaping***

Due to existing developed conditions on the site, the owner proposes modifications to the landscaping standards. Adopted standards require that at least 15% of the site area be maintained in a landscaped area. On the two developed lots, the owner proposes to provide at least nine percent (9%) landscaped area on Lot 1 and six percent (6%) landscaped area on Lot 2.

While Lot 3 would provide over 23% landscaped area, the owner proposes a six foot wide buffer yard adjacent to most of the south property line. This narrower buffer yard is proposed to accommodate an area for parking spaces (see exhibit below). Two trees are proposed, and a six-foot tall masonry screening wall would be constructed on the entire length of the property line.

Since the adjacent property is zoned for residential use, a 15-foot buffer yard is required. The buffer yard must include one large tree per 30 linear feet, with at least 40% of the trees being an evergreen species. Based on the length of the buffer yard, three trees are required. In addition to the two proposed trees, the Development Review Committee recommends that three additional ornamental trees be planted within the buffer yard. This recommendation is included in the attached NR-PD standards.





### ***Building setback***

Since the property north of the site is zoned R-7-MF (Multifamily), the C-1 (Commercial) district requires a 35-foot building line setback on the subject properties. On Lot 3, the owner proposes to construct the new building on the north property line, essentially providing a zero-foot setback. This setback would be permitted by right if the adjacent property were zoned for nonresidential use. The owner is requesting approval of this modified setback due to Lot 3 being 100 feet wide and the adjacent property being vacant and used as driveway access for Caliber Collision.

### ***Refuse container enclosure***

Locations for refuse containers are provided on Lots 1 and 2. The areas are located behind the existing buildings and adjacent to the six-foot masonry screening wall described above. The zoning ordinance requires containers to be placed within a masonry-wall enclosure with opaque gates. Due to the proposed design of the site and proposed location for the containers, the owner is requesting that the enclosures not be required and allow the masonry screening wall and buildings to serve as screening devices.

**LAND USE PLAN:** This area is designated on the Land Use Plan as Retail Commercial. This designation provides sites for community and regional shopping centers, commercial establishments, and employment centers. These sites are typically located on highways and major thoroughfares at key intersections. A supplemental recommendation of the Land Use Plan is to prioritize commercial uses at key intersections where retail is most likely to thrive.

**CURRENT ZONING:** The property is currently zoned C-1 (Commercial) and R7-MF (Multifamily). The C-1 district is intended to provide for development of retail service and office uses principally serving community and regional needs. The 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. The R-7-MF multifamily residential district is intended to provide areas for high density development of apartment type attached dwelling units.

**PROPOSED ZONING:** The proposed zoning is NR-PD Nonresidential Planned Development following the C-1 (Commercial) district land uses and development standards. The proposed change is intended to support development on the site and allow for the modifications to the site development standards for the property.



## **SURROUNDING ZONING | LAND USE:**

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	C-1 (Commercial) R-7-MF (Multifamily)	Retail Commercial	Vacant
WEST	C-2 (Commercial)	Office Commercial	Vacant
SOUTH	C-1 (Commercial) R-7-MF (Multifamily)	Retail Commercial	Commercial buildings Single-family residences
EAST	C-2 (Commercial)	Retail Commercial	Automobile repair shop

**PLAT STATUS:** The property is platted as Lots 5B1, 5C1, 8A, and 8B, Block 1, Jack M. Estes Subdivision. A replat 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 February 27, 2023, meeting following a recommendation by the Planning and Zoning Commission.

### **RECOMMENDATION:**

Approve ZC21-0004, subject to three additional ornamental evergreen trees being provided adjacent to 3915 Flory Street.