



## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager   **DATE:** August 12, 2019

**SUBJECT:** ZC 2019-09, Ordinance No. 3595, Public hearing and consideration of a request from Centurion American Acquisitions, LLC for a zoning change from NR-PD Nonresidential Planned Development and C-1 Commercial to NR-PD Nonresidential Planned Development at 4400 City Point Drive, being 51.945 acres described as Lot 2, Block 1, Lot 1R1, Block 2, and Lot 1, Block 3, City Point Addition; and Tract 9W1A4, William Wallace Survey, Abstract 1606.

**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

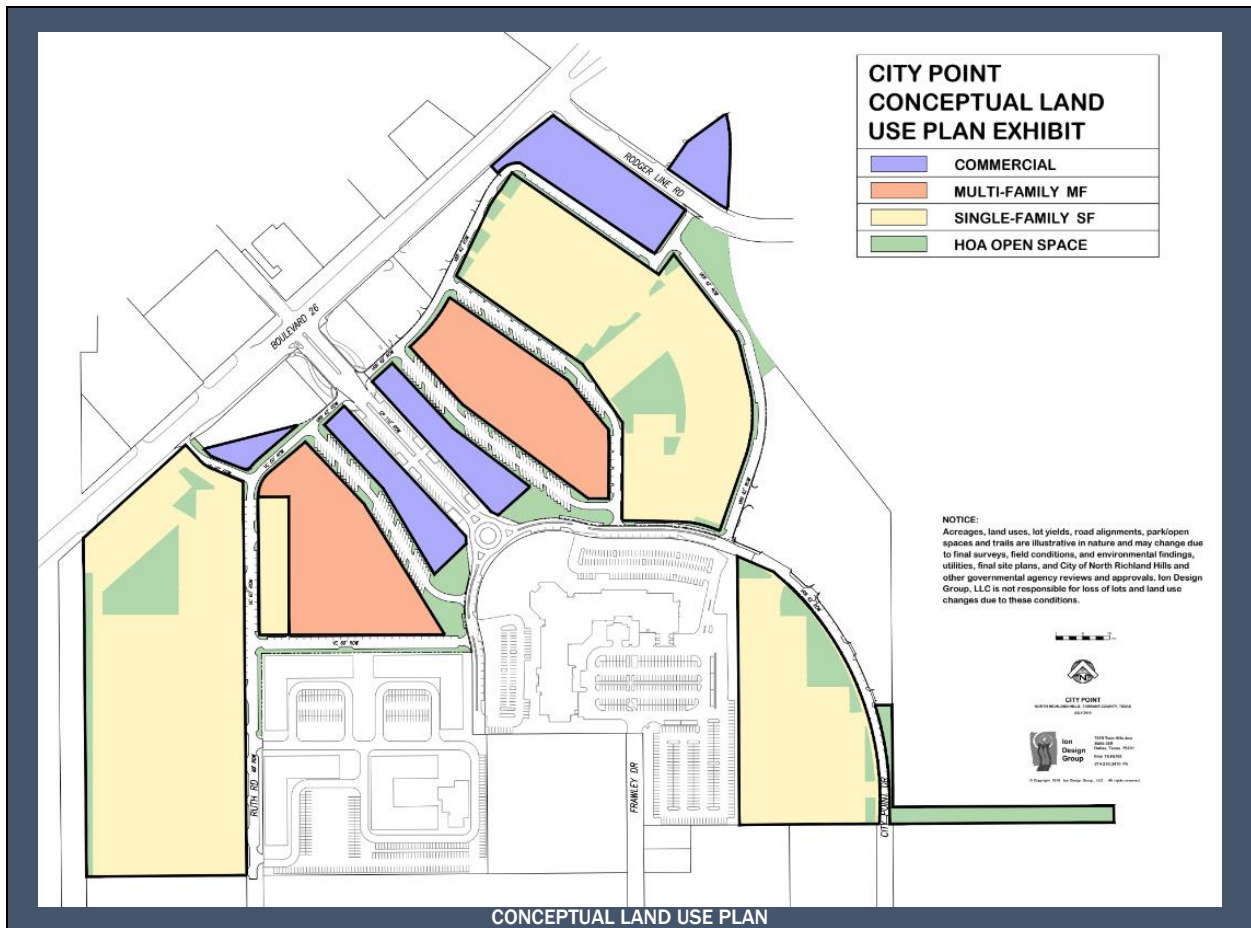
On behalf of LaVerne Butterfield LP, Centurion American Acquisitions LLC is requesting a zoning change to NR-PD Nonresidential Planned Development for a proposed mixed-use development for commercial, multifamily residential, single-family residential (both attached and detached units) and open space on 51.945 acres located at 4400 City Point Drive.

### **GENERAL DESCRIPTION:**

In October 2013, City Council approved a planned development zoning district ("PD") for the City Point area to provide the first step for the redevelopment of the former North Hills Mall site. The 2013 zoning established development sub-districts for commercial, residential, and civic uses. It was anticipated that future development plans would further refine these areas.

The property under consideration is generally north, east, and west of the city hall complex on City Point Drive. The proposed development is divided into six development districts based on the conceptual land use plan shown on the next page.

The general description and summary of standards for each land use category, district, and other development features are discussed below and a complete set of proposed development standards is attached. These standards cover land uses, architectural design, landscaping, and other subjects such as streets, lighting, open spaces, signage, and administration.



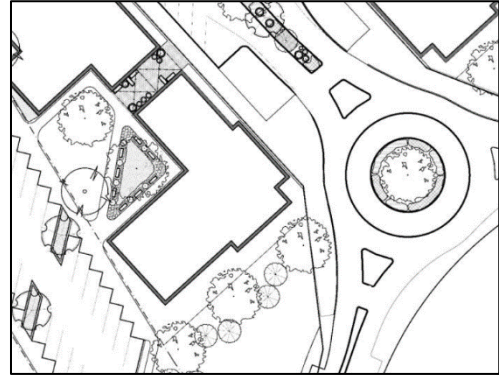
CONCEPTUAL LAND USE PLAN

	Use	Approx. Area	Conditions / Notes
	Commercial	8.5 acres	Minimum 60,000 square feet of commercial floor area
	Multifamily Residential	7 acres	Maximum 600 multifamily units
	Single-Family Residential	25 acres	Maximum 250 townhomes; Approx. 425 total SF units
	Open Space	3.5 acres	Specific locations are approximate and conceptual. Min. 5% required.

### Commercial

The areas designed for commercial uses are generally centered on City Point Drive, with another area located at the south corner of Boulevard 26 and Rodger Line Drive. These areas are intended to allow uses based on the C-1 Commercial district such as retail stores, restaurants, offices, entertainment venues, and personal services. Any hotel use would be limited to the corner of Rodger Line Drive and Boulevard 26. There are additional uses proposed that could be considered through approval of a use amendment to the PD zoning, and other uses that would be prohibited. For the full list of added and prohibited uses, see the PD standards document attached.

Along City Point Drive, a minimum 60,000 square feet of commercial floor area is required by the proposed PD. The applicant has expressed its intent to create a restaurant destination along City Point Drive with additional retail and service uses. The intended design of the City Point Drive area is to create an environment that is pedestrian friendly. Buildings are proposed with shallow setbacks from City Point Drive and open pedestrian connections between buildings, also known as paseos. An emphasis is placed on appropriately proportioned open-air plaza spaces adjacent to retail and restaurant uses that would be amenitized with seating, water features, and landscaping. The drawing at right provides an example of this design intent.



The architectural theme of the City Point Drive commercial would be complementary to City Hall, which will serve as the backdrop or view terminus for the boulevard. Use of architectural metal, brick, stone, and stucco can be anticipated.



*First conceptual images of City Point Drive Commercial Building Design*

The zoning intent for the approximately two acres of property at the corner of Rodger Line and Boulevard 26 is for a full- or limited-service hotel. The proposed zoning allows either by right, but it must have a minimum 625-square-foot conference/meeting space and all corridors and stairwells must be internal to the building.

### ***Multifamily Residential***

Areas intended for multifamily residential uses are located adjacent to and behind the commercial areas on City Point Drive.

Two design options for the multifamily buildings are considered. One option would provide parking underneath the building in a pedestal- or podium-style building. This approach increases the unit count and density of the multifamily by increasing parking availability. It also elevates the entire project in height from a four-story building to a five-story building. The other option would provide surface parking on the multifamily site. The applicant does not intend to construct the multifamily buildings themselves, rather to sell to a multifamily developer. The final design would therefore be selected later by the

ultimate developer of the multifamily. The proposed standards would allow for either design, but the number of dwelling units would still be limited to a maximum of 600 units. If the surface parking option were built, it is likely that 300-350 units would be the maximum number of units possible. For reference, the 26@CityPoint multifamily development currently under construction includes 270 units on 10 acres.



*First conceptual images of Multifamily Building Design*

### ***Single-Family Residential***

The single-family residential uses include both detached (“bungalows” and “urban homes”) and attached (townhome) products. There are three areas intended for residential uses in the west, north, and east sections of City Point. These include areas adjacent to the multifamily development area and an area east of City Hall. The total number of single-family townhome units is limited to a maximum of 250 units. Various development plan options prepared by the applicant show the total number of single-family residential units will be approximately 425.

The applicant has expressed a desire to feature an architectural theme for the single-family phase that allows a high proportion of cementitious board siding (i.e. Hardie-board siding or similar).

The PD standards are drafted to allow up to half (50%) of the single-family homes in the development to use up to 100% cementitious board siding. The other 50% of the homes would require a minimum 80% masonry material. **These ratios mean that no less than 40% of the materials in the single-family residential phase of the development will be masonry.**

Similar to other residential Planned Developments, a menu of architectural embellishments is provided. Each home must meet at least three of those standards. Those features are listed in the attached PD standards document. Staff is working with the developer to further refine this list of requirements and will update Council during staff’s presentation.

The minimum parking proposed to be required for all single-family residential phases is two enclosed spaces per lot plus one on-street visitor parking space for every four lots. On phases that are served by alleys, driveway depths are not deep enough to provide additional alley parking.

## *Bungalows*

The section of the development immediately east of City Hall is proposed to have one- and two-story “Bungalow” lots. These are the largest lots within the development with a typical lot dimension of 40 feet wide and 75 feet deep (3,000 square feet). They are also the only lots within the development that



Bungalow Home 2-Story



Bungalow Home 2-Story

would feature street-facing garages. Garage doors would be required to be a minimum 20 foot set back from the front property line, but other components of the home could have a 5 foot front setback. In response to Planning & Zoning Commission concerns, the applicant has also agreed to stamp and stain all driveways within this district. Single-story bungalows would be 1,250 square feet minimum. Two-story bungalows would be 1,600 square feet minimum.

## *Urban Homes*

The applicant’s “Urban Homes” are 2- and 3-story detached homes on 26-foot wide lots. With a typical 55 foot depth, these lots would be around 1,430 square feet in size. The homes themselves would be 22 feet in width with 4 feet of space between homes and a minimum of 1,500 square feet in size. Garages would be served by alleys (discussed in the “street network” section below). These homes would have a very shallow 3-foot front yard setback along the street.



Urban Home 2-Story



Urban Home 3-Story

## *Townhomes*

A maximum of 250 two- and three-story townhomes are proposed within the development. These townhomes would be on lots of 22 feet wide by 55 feet deep with a 4-foot setback along the street. All townhomes would be required to be at least 1,500 square feet in size.



Townhomes 2-Story



Townhomes 3-Story

**Open Space**

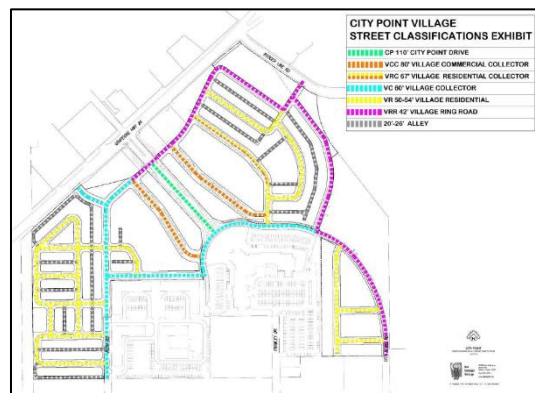
Similar to Town Center and TOD requirements, the City Point development proposes a codified minimum 5% of open space be provided. In an effort to create walkable open spaces, the 5% requirement would be applied to three separate areas: (1) southwest of City Point Drive; (2) northeast of City Point Drive; and (3) east of City Hall.

Across from the plaza area in front of city hall, open space areas are planned adjacent to City Point Drive to create a focal point in the development and provide a backdrop to adjacent retail and restaurant space.

A very important component to City Point is the connection to the existing trail network. The JoAnn Johnson Trail currently terminates at City Point Drive and Boulevard 26. The Randy Morresi Trail terminates at Rodger Line Road. This development outlines key trail connectors to both these trails as well as future connections to trails provided by Richland Hills to the south. These internal connections would be a minimum 6-foot wide path.

**Street network**

The development builds upon the existing street network in the City Point area to create a connected system of roadways. The street network would provide a new connection to Boulevard 26 and an improved connection to Rodger Line Drive. Residential areas would be served by neighborhood streets and alleys. Each street type has a corresponding cross-section that addresses lane widths, parking, sidewalks, and streetscape design. See attached exhibits for more detail.



**VISION2030 LAND USE PLAN:** This area is designated on the Vision2030 Land Use Plan as “Urban Village.” The Urban Village land use category promotes sustainable, pedestrian-oriented, mixed-use development that provides the opportunity for many uses to coexist within a more compact area. Urban Villages encourage an efficient, compact land use pattern; support vibrant public spaces; reduce the reliance on private automobiles; promote a more functional and attractive community through the use of recognized principles of urban design; allow flexibility in land use; and prescribe a high level of detail in building design and form. Urban Villages can come in the form of vertical mixed use, where multiple uses share a single, multi-story building; or horizontal mixed use, where a diverse set of uses are placed within close, walkable proximity.

**CURRENT ZONING:** The majority of this property is currently zoned NR-PD Nonresidential Planned Development. The zoning was approved by City Council on October 14, 2013 (Ordinance 3276). The PD is primarily for non-residential uses, with a maximum of 300 multi-family units permitted by right and the area east of City Hall permitted for townhomes after development of the remaining property. Approximately 5 acres in the southwest corner of the property is zoned C-1 Commercial with a Special



Use Permit for a gas well site (Ordinance 3310 approved June 2014). The Special Use Permit expired June 2019.

**PROPOSED ZONING:** NR-PD Nonresidential Planned Development with a base zoning district of C-1 Commercial for land uses and development standards.

**SURROUNDING ZONING | LAND USE:**

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	C-1 Commercial C-2 Commercial	Retail Commercial Urban Village	Retail, restaurant, and service uses
WEST	LR Local Retail C-1 Commercial C-2 Commercial	Retail Commercial Office Commercial	Retail and service uses
SOUTH	U School, Church, and Institutional C-1 Commercial	Community Services	Offices, religious and educational institutions, and medical uses
EAST	C-1 Commercial	Office Commercial	Medical Office

**PLAT STATUS:** The property is currently platted as Lot 2, Block 1; Lot 1R1, Block 2; and Lot 1, Block 3, City Point Addition. A portion of the property is unplatted. A replat of the property would be required to accommodate the proposed development.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission conducted a public hearing and considered this item at the July 18, 2019, meeting and voted 4-1 (Welborn) to recommend approval subject to the conditions listed in the below left column. The right column explains how the applicant has addressed the Commission’s conditions prior to City Council.

	COMMISSION APPROVAL CONDITION	APPLICANT’S RESPONSE
1.	The definition of "open space" requirements to mirror the Transit Oriented Development code	While it does not “mirror” the TOD standards, the applicant’s revised definition of open space generally meets their intent.
2.	The finished floor elevations of the residential units be changed to 18 inches above the sidewalk to mirror the Transit Oriented Development code	The applicant has declined to adopt the 18-inch raised finished floor standard and will address this issue during their presentation.
3.	The applicant to explore use of the 2018 International Energy Conservation Code (IECC) for all buildings	The applicant has declined to adopt the newer 2018 IECC at this time and the City currently operates under the 2015 IECC. City Point would fall under the 2018 IECC when the City adopts it city-wide.
4.	The minimum window and door fenestration to mirror the Transit Oriented Development code	While it does not “mirror” the TOD standard, the applicant’s revised standard for window and door fenestration meets the intent.
5.	Provide a specific screening wall design along Boulevard 26.	Screening wall standard has been provided. See attached exhibits.



**DEVELOPMENT REVIEW COMMITTEE:** Due to the large scope of this project and length of the attached Planned Development Land Use and Development Standards document, some items remain outstanding that are still being discussed with the applicant. These items may be resolved in time for City Council's meeting. If they are not, however, staff and the applicant will raise these issues during their presentations.

1. **18-inch finished floor elevation.** Staff has requested that City Point adopt the same raised finished floor standard as the TOD and Town Center districts. The raised finished floor creates stoops along the street and helps define and separate the public space of the street and the private space of the home. It is a design standard found in most New Urban developments. This was also supported by the Planning & Zoning Commission.
2. **2018 International Energy Conservation Code (IECC).** In order to set the City Point development apart as a quality development, staff has encouraged the applicant to adopt the 2018 IECC rather than the City's current minimum, the 2015 IECC. The change would translate into approximately 10 to 15 percent energy savings per residence.
3. **Fencing/screening adjacent to City Hall property.** As currently proposed, either new wood fencing or the City's existing ornamental metal fencing would be the delineation between the City Hall property and the single family Bungalows to the east. Staff has requested this be improved to a masonry wall.
4. **Use of "City South-Open Space" in open space area calculations.** The attached exhibits show a very narrow panhandle area at the southeast corner of the project that the applicant has counted as open space. Staff has requested that this area be removed from open space calculations, as it does not meet the definition or intent of the open space standard. This is approximately 40,400 square feet in area.
5. **Use of laydown curb in Bungalow district.** The change to a laydown street curb was originally proposed at the Planning & Zoning Commission meeting to address enhanced pavestone driveways and sidewalks in the Bungalow district. Staff and the applicant have agreed to stamped and stained driveways on private property only, eliminating any concern for driveway curb cuts impacting pavestone driveways or sidewalks. Staff does not believe the use of laydown curb is warranted in the Bungalow district and would request that these public streets be consistent in design as the rest of the development.
6. **Two-story height limitation adjacent to City Point United Methodist Church.** During the Planning & Zoning Commission public hearing, representatives from the City Point United Methodist Church requested that townhomes and/or urban homes adjacent to their property line be limited to two stories in height. The applicant agreed to that limitation during the public meeting, but the proposed PD standards have not yet been updated to reflect this commitment.



- 7. *Single family residential architectural standards.*** Staff and the applicant are still refining the architectural standards for single family residential units. The desire is to make them as consistent as possible with the “cottage lot” standards in the Town Center Zoning District while still providing flexibility for unit diversity.

**RECOMMENDATION:**

Approve Ordinance No. 3595, subject to the remaining items described above being resolved.