

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** June 14, 2021

SUBJECT: ZC 2021-01, Ordinance No. 3698, Public hearing and consideration of a request from The John R. McAdams Company for a zoning change from AG (Agricultural) to R-PD (Residential Planned Development) at 8337 Davis Boulevard, being 3.459 acres described as a portion of Tract 5, Thomas Peck Survey, Abstract 1209.

PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

On behalf of LC Tubb Jr and Judith Brown Tubb (owners) 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 3.459 acres located at 8337 Davis Boulevard.

GENERAL DESCRIPTION:

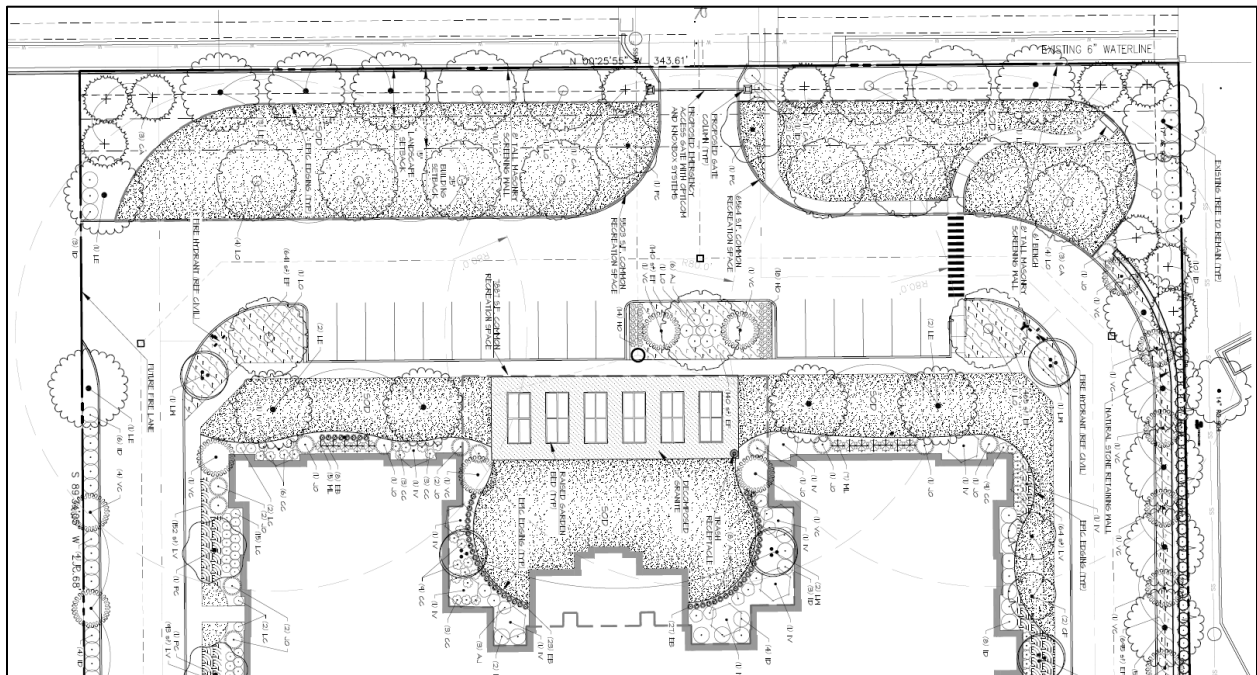
The site under consideration is located on the west side of Davis Boulevard between North Tarrant Parkway and Thornbridge Drive. The 3.459-acre site is located in the northwest corner of a larger 9-acre tract of land, approximately 230 feet from Davis Boulevard. It abuts Saddlebrook Estates on the west and the Tarrant Parkway Plaza shopping center on the north (Sonic, Kindred Coffee, Airborne Trampoline Park, and other businesses).

The proposed use of the property is a 55-unit independent senior-living apartment cooperative development. The cooperative arrangement is similar to a condominium, with individuals owning a share of the property. Proposed site improvements include a single three-story building, an underground parking garage, and surface parking in the front and rear of the building. The building would include six (6) one-bedroom units and 49 two-bedroom units. The overall height of the building is 45 feet. 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	
EXISTING ZONING	AG
PROPOSED ZONING	R-PD
EXISTING LAND USE DESIGNATION	Office Commercial
PROPOSED LAND USE DESIGNATION	High Density Residential
GROSS ACREAGE	3.459 A.C.
GROSS SQUARE FOOTAGE	150,674 S.F.
LOT DENSITY	16.00 Dwelling Units Per Acre
SQUARE FOOTAGE OF PAVEMENT SPACE	62,403 S.F.
% OF PAVEMENT SPACE	41%
AREA OF IMPERVIOUS COVERAGE	88,260 SF
% OF IMPERVIOUS COVERAGE	59%
NUMBER OF STORIES	4
NUMBER OF 1 BEDROOM UNITS	6
NUMBER OF 2 BEDROOM UNITS	49
TOTAL NUMBER OF UNITS	55
MAX BLDG HEIGHT	45'-4" (PEAK OF ROOF)
PROVIDED PARKING	
REQUIRED PARKING (1.5 PER UNIT)	83
STANDARD SURFACE PARKING	26
UNDERGROUND PARKING	57
ADA PARKING	4
TOTAL	83

Site Plan. The primary purpose of this Planned Development zoning district is to permit the uses proposed. Independent senior-living apartments require approval of a special use permit in the R-7-MF (Multifamily) zoning district, or the use may be considered as part of an R-PD (Residential Planned Development) district. The attached site plan package would also be a component of the R-PD zoning district.

Landscaping. Approximately 41% of the apartment site would be maintained in landscaped area. This includes buffer yards, landscape setbacks, parking lot islands, and general site landscaping. The Development Review Committee and applicant paid particular attention to the vegetation provided on the west property line to help screen the property from existing residences in Saddlebrook Estates. Along that 343-foot property line is a 45-foot deep landscape setback with 13 Live Oaks, 5 Lacebark Elms, and 7 Arizona Cypress. The minimum required by the Landscape Ordinance would be 11 total trees. Additionally, the landscape area at the base of the western building façade includes 3 Live Oaks and 4 Lacebark Elms. This western area is shown below.



Proposed vegetation along the west property line (top of graphic) adjacent to existing Saddlebrook Estates neighborhood.

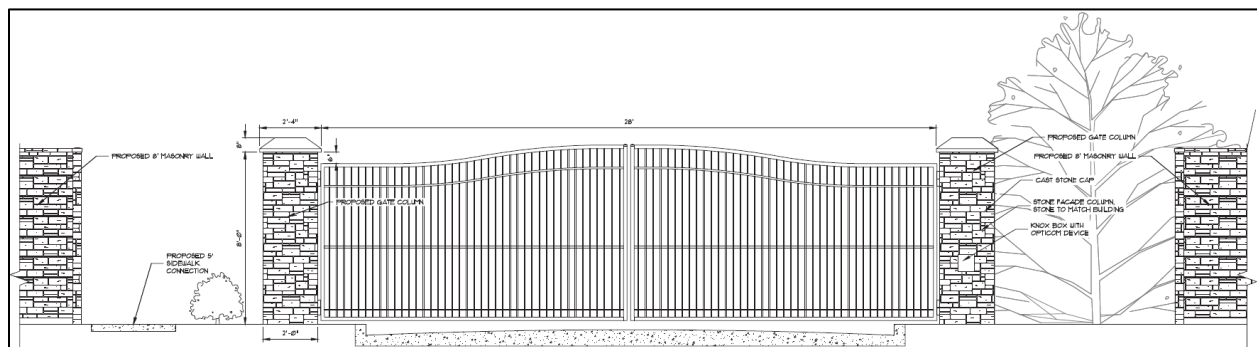
While not required by code, the developer is also proposing a dense vegetative screen along the north property line to replace the existing tree cover located there today and screen the rear of the shopping center from the residents of the proposed development. The landscaping along the north property line includes a pattern of Lacebark Elms, Eastern Red Cedar, Juniper, and Vitex.

Driveway access. The site does not have direct frontage on Davis Boulevard. A fire lane and access drive is proposed across the adjacent property to serve the development from Davis Boulevard. While the applicant is coordinating with the Texas Department of

Transportation (TXDOT) on the drive approach location, TXDOT has not granted conceptual approval of the approach at this time.

To provide off-street connections to adjacent properties pursuant to the Subdivision Ordinance, a driveway stub is provided to the north. Future coordination with that property owner will be required to fully connect the properties.

Emergency access. The applicant proposes an emergency access connection at the west property line to Clara Drive through a fire lane and gate to provide the required two points of emergency access to this property as well as complete the emergency access requirements originally planned for the Saddlebrook Estates neighborhood. An emergency access gate at this location provides for reduced emergency response times for each development. The exhibit below shows the proposed gate design as found on Sheet L3.02 (Landscape Details) of the attached Site Plan Exhibits.



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 north property line for pickup. The containers would be moved to the location inside the garage after being serviced.

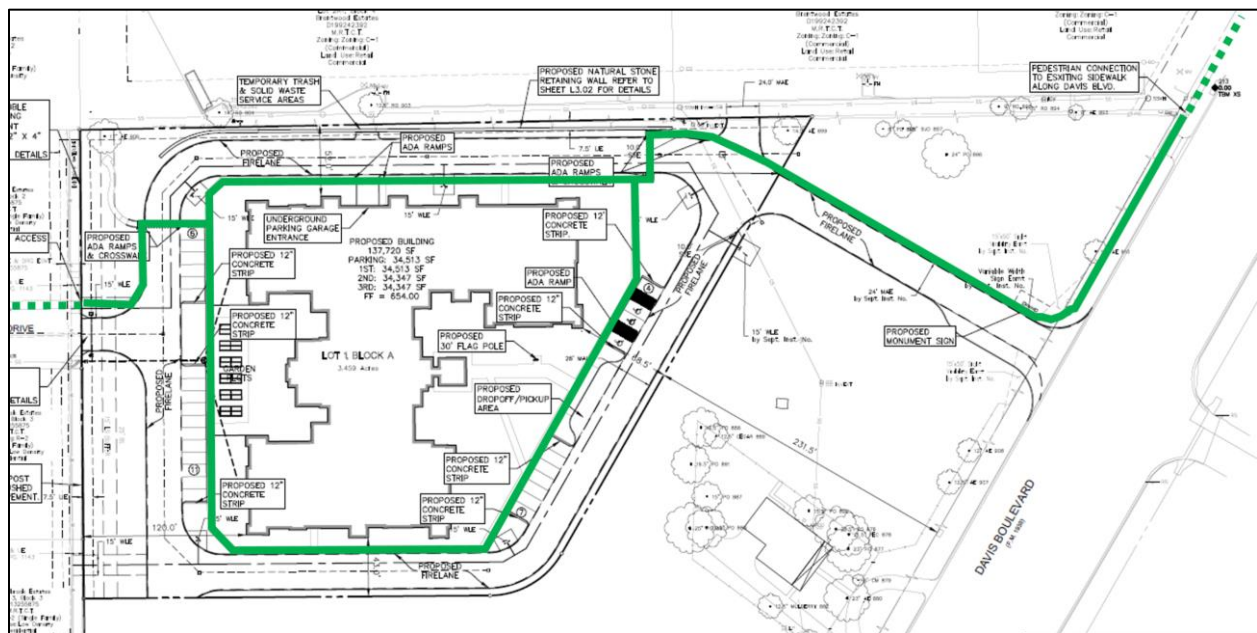
Parking. There are 83 total parking spaces provided, which is equivalent to 1.5 spaces per unit. The site includes 26 surface parking spaces around the building and 57 parking spaces underneath the building. Ingress and egress from the parking garage is located on the north side of the building, so the primary traffic circulation for most residents will not require using the westernmost drive aisle adjacent to existing single family.

As described below, the required number of parking spaces under the R-7-MF (Multifamily) zoning district would be 135 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 Town Center (Hometown) zoning district would require 108 parking spaces (1.95 spaces per unit).

Screening wall. An eight-foot (8') precast concrete screening wall is proposed on the west property line of the development. An example of this wall type is shown at right. Because the 3.5-acre property does not encompass the entire western property line for the full 9-acre vacant property, the wall does not extend completely to the southwest property corner. The applicant is proposing to defer the installation of the remaining portion of the wall to future development.



Pedestrian connections. Pedestrian connections are provided to connect this project to Davis Boulevard and adjacent commercial uses to the north by a 5-foot wide sidewalk. This pedestrian circulation also connects to the public sidewalk network in Saddlebrook Estates, allowing those residents access to Davis Boulevard sidewalks through this site. The exhibit below highlights in green the pedestrian routes provided by this development. Without these important connections, residents would be required to leave the site by vehicle and enter Davis Boulevard to travel to the adjacent property. Pedestrian access from the facility to Davis Boulevard is appropriate to support the active adult lifestyle promoted by the developer and the low traffic numbers proposed by the ITE land use classification.



Larger (9-acre) site development considerations. Since the property is a portion of a larger tract of land, consideration should be given to how the overall site will ultimately develop, and how this project will integrate into future development.

- a. There are not any guarantees that additional drive approaches will be approved by TXDOT for Davis Boulevard.
- b. The owner of the remainder of the property should be aware that, if zoned office or commercial in the future, the current zoning standards would require a minimum 6-foot masonry wall at the back of the front pad sites, a 15-foot landscape setback, and a 35-foot building setback. With the proposed 225 foot depth of the front pad(s), there would only be approximately 65 feet of building depth after fire lanes, parking and required setbacks.
- c. The fire lane proposed on the eastern side of this proposed development is likely to be duplicated and paralleled by another fire lane on the commercial pad sites along Davis Blvd. This will decrease the capacity to develop those sites and reduce the field of prospective uses. A shared fire lane would provide a better long-term plan for the property.

R-7-MF (Multifamily) comparison. 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	3.459 acres
Maximum Height	50 feet	45 feet
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.	Screening wall not required along Davis Boulevard
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.	Gated entry not proposed.
Parking	2 spaces per one bedroom unit 2.5 spaces per two or more bedroom unit. (application would require 135 parking spaces)	1.5 spaces per unit (83 spaces)



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. By retaining options for commercial frontage along Davis Boulevard, this application maintains the opportunity for additional Retail Commercial growth in this area.

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) with a base district of R-7-MF (Multifamily). 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	C-1 (Commercial)	Retail Commercial	Retail and office uses
WEST	R-2 (Single-Family Residential)	Low Density Residential	Single-family residences (Saddlebrook Estates)
SOUTH	AG (Agricultural)	Retail Commercial	Vacant
EAST	AG (Agricultural)	Retail Commercial	Vacant

SADDLEBROOK ESTATES NEIGHBORHOOD MEETING: The developer held an informational meeting with more than 30 residents of the adjacent Saddlebrook Estates neighborhood on April 7, 2021, at the NRH Centre Grand Hall. A member of City staff was in attendance. The primary concerns that were raised at the meeting included:

- Prohibiting construction traffic access from Saddlebrook Estates and requiring installation of the emergency access gate and masonry screening wall early in the construction process.
- Stormwater runoff and drainage.
- Increase height of masonry screening wall from six feet to eight feet and provide a denser tree buffer.
- Outdoor lighting locations, types, and light trespass concerns.
- Height and proximity of the building to the single-family properties.



PUBLIC INPUT: Following posting of the public hearing signs on the subject property, the Planning & Zoning Department received written support of and opposition to 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.

The analysis of the written opposition indicates that the owners of 6.8% of the land area registered signed opposition to the request. Approval of the application requires only a simple majority vote by City Council. A map showing the opposition area is included in the “Public Input” attachment.

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.

DRC REVIEW: Independent senior-living apartments 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 to sustain retail and restaurant growth. The Development Review Committee’s (DRC) interpretation of the Vision2030 Land Use Plan, however, is that multifamily growth is to be contained to the areas designated by the Land Use Plan as Urban Village and High Density Residential.

While the proposed development preserves retail commercial frontage, there are concerns about piecemeal and fragmentary development as it has not been demonstrated that the remaining 5.5 acres in this area can develop in a realistic and efficient way. While the residential portion of the development is inconsistent with the Land Use Plan goals and policies, this specific type of multifamily cooperative and/or condominium use has been viewed favorably in other areas as a component within a larger development that includes nonresidential uses.

In cases such as this, the Development Review Committee looks to the Planning and Zoning Commission and City Council to provide guidance and direction based on their development goals for the community.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the May 20, 2021, meeting and voted 6-0 to recommend approval.

RECOMMENDATION:

Conduct a public hearing and consider Ordinance No. 3698.