



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
June 2, 2015

Council District 6

Zoning Commission Recommendation:
Approval by a vote of 9-0

Opposition: One letter submitted
Support: None submitted

Continued Yes ___ No X
Case Manager Stephen Murray
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: SLF IV/Legacy Capital LP

Site Location: 9600 block Summer Creek Drive Mapsco: 102Z

Proposed Use: Multifamily

Request: From: "E" Neighborhood Commercial
To: PD 971 "PD/D" Planned Development for all uses in "D" High Density Multifamily with a maximum of 24 units per acre; site plan required.

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent (Minor Boundary Adjustment).

Background:

The property is located near the corner of McPherson Blvd. and Summer Creek Drive. The applicant is proposing a zoning change from "E" Neighborhood Commercial to "PD/D" Planned Development for all uses in "D" High Density Multifamily with a maximum of 24 units per acre, site plan required, similar to adjacent property to the north. This is an adjustment in the zoning boundary in order to prepare the commercial site for development. These properties were part of a larger rezoning case in 2013.

The change will add 0.89 acres of commercially zoned land into the existing PD/D. The proposed site is located in close proximity to the new Chisholm Trail Pkwy and was rezoned in 2013 for commercial, single-family, and multifamily uses.

Site Information:

Owner: SLF IV/Legacy Capital LP
5910 N Central Expressway, Suite 1250
Dallas, TX 7506
Agent: Dunaway Associates, LP
Acreage: 0.89 acres
Comprehensive Plan Sector: Far Southwest
Surrounding Zoning and Land Uses:
North "PD-971" PD/D with a maximum of 24 units per acre; site plan required / vacant
East "CF" Community Facilities / vacant

South "E" Neighborhood Commercial / vacant
 West "G" Intensive Commercial / vacant

Recent Relevant Zoning and Platting History:

Zoning History: ZC-13-043 "PD-971" Planned Development for all uses in "D" High Density Multifamily with a maximum of 24 units per acre; site plan required. Approved 4/2/13.
Platting History: None

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
Summer Creek	Major Arterial	Major Arterial	No
McPherson	Major Arterial	Principal Arterial	No

Public Notification:

Organizations Notified	
District 6 Alliance	Streams And Valleys Inc
Trinity Habitat for Humanity	Crowley ISD

Not located within a registered Neighborhood Organization

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing to bring 0.89 acres of commercially zoned land into an existing PD/D in order to accommodate a future multifamily development. Surrounding land uses are primarily vacant with a planned park to the west.

The proposed zoning **is compatible** at this location.

2. **Comprehensive Plan Consistency**

The 2015 Comprehensive Plan designates the subject property as Neighborhood Commercial. Based on nonconformance with the future land use designation, the proposed zoning **is not consistent (Minor Boundary Adjustment)** with the Comprehensive Plan.

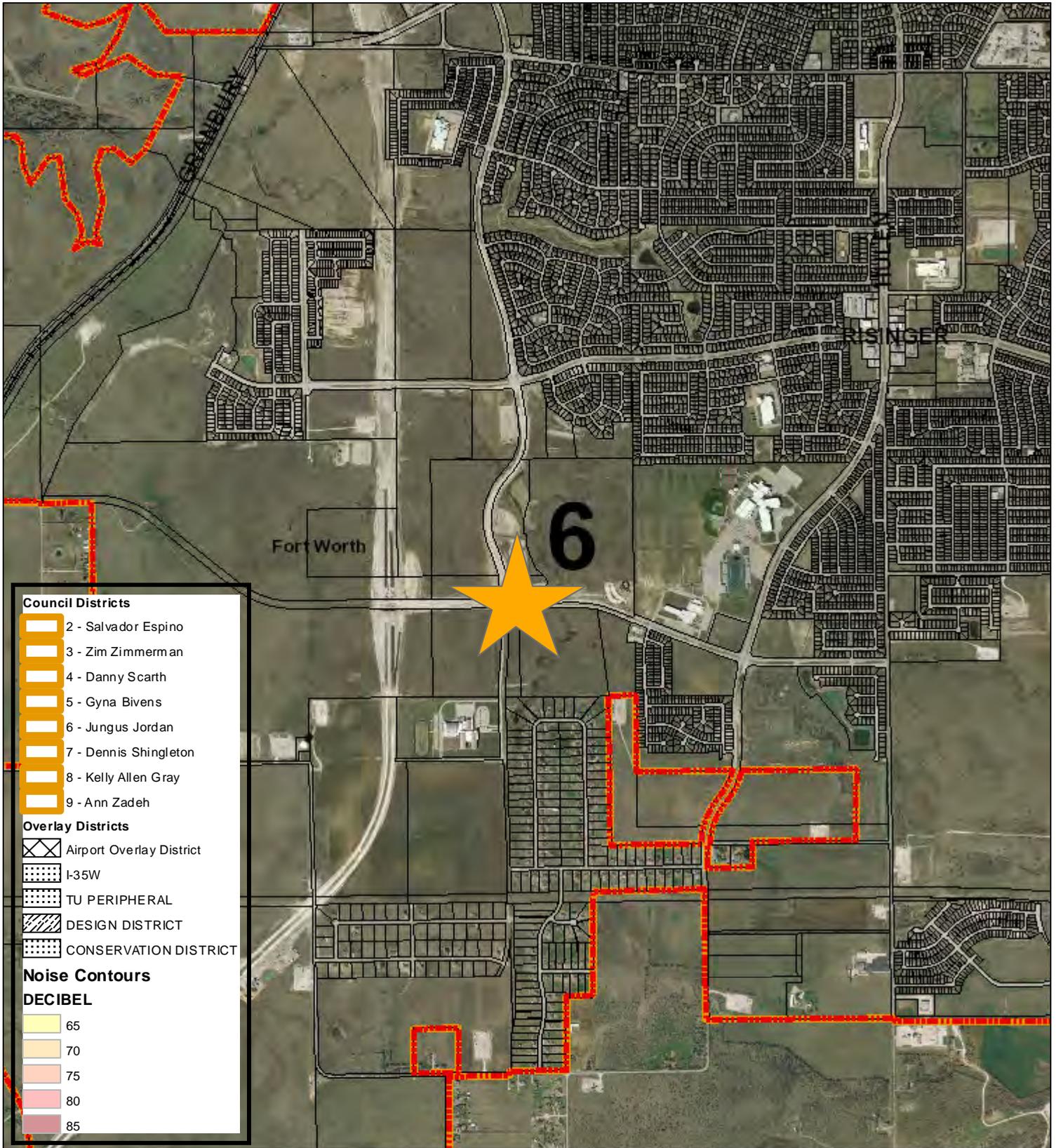
However, the requested zoning classification is consistent with the following Comprehensive Plan policies:

- Locate multifamily units adjacent to collector streets, arterial streets, or rail transit stations to provide the increased level of transportation services necessary for the greater number of residents. (pg. 38)
- Promote location of multifamily units within walking distance of public transportation, employment, recreation, and/or shopping to increase accessibility and decrease vehicular traffic generation. (pg. 38)

Attachments:

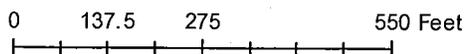
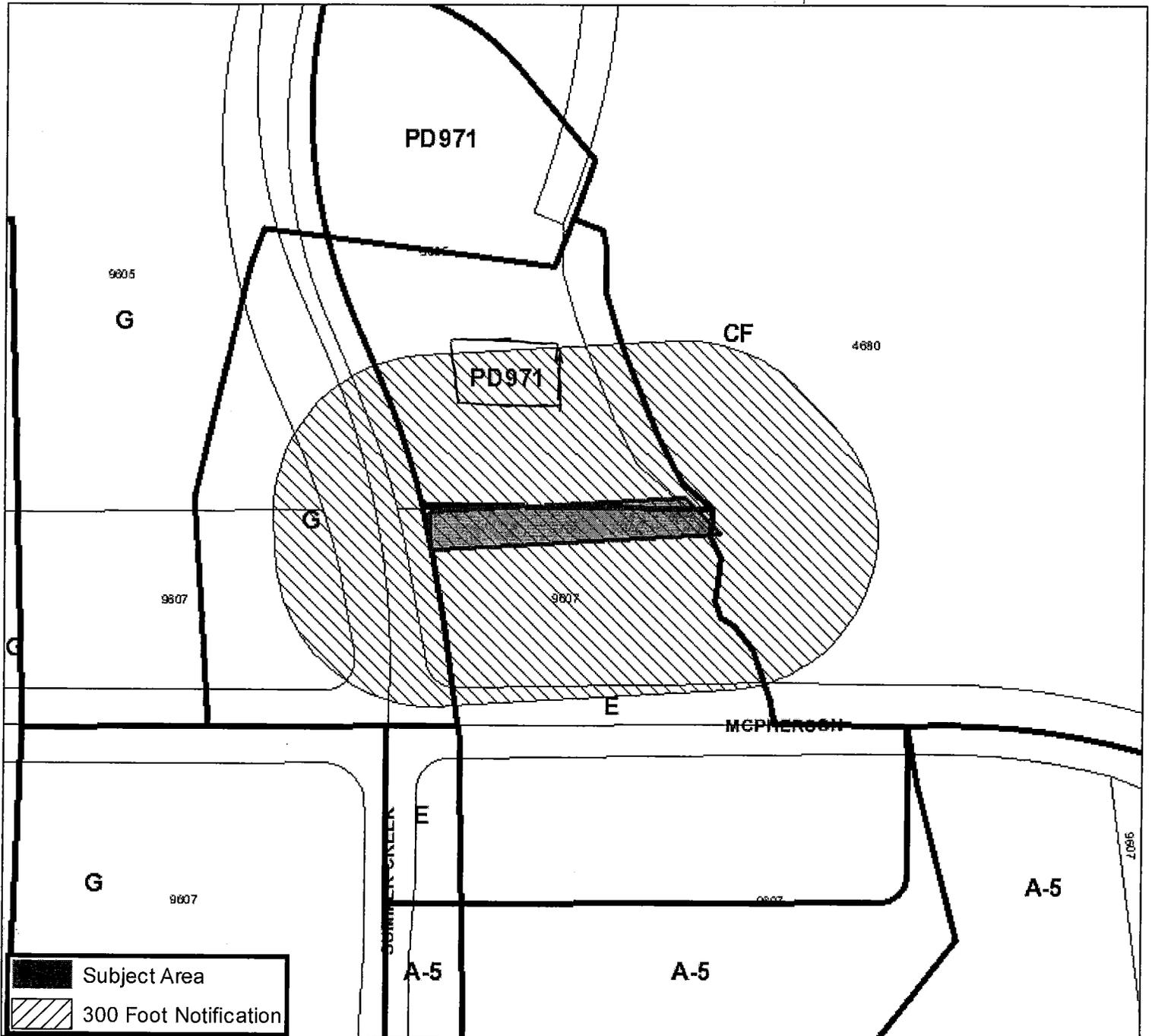
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting

Area Map

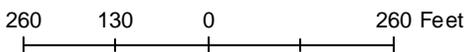
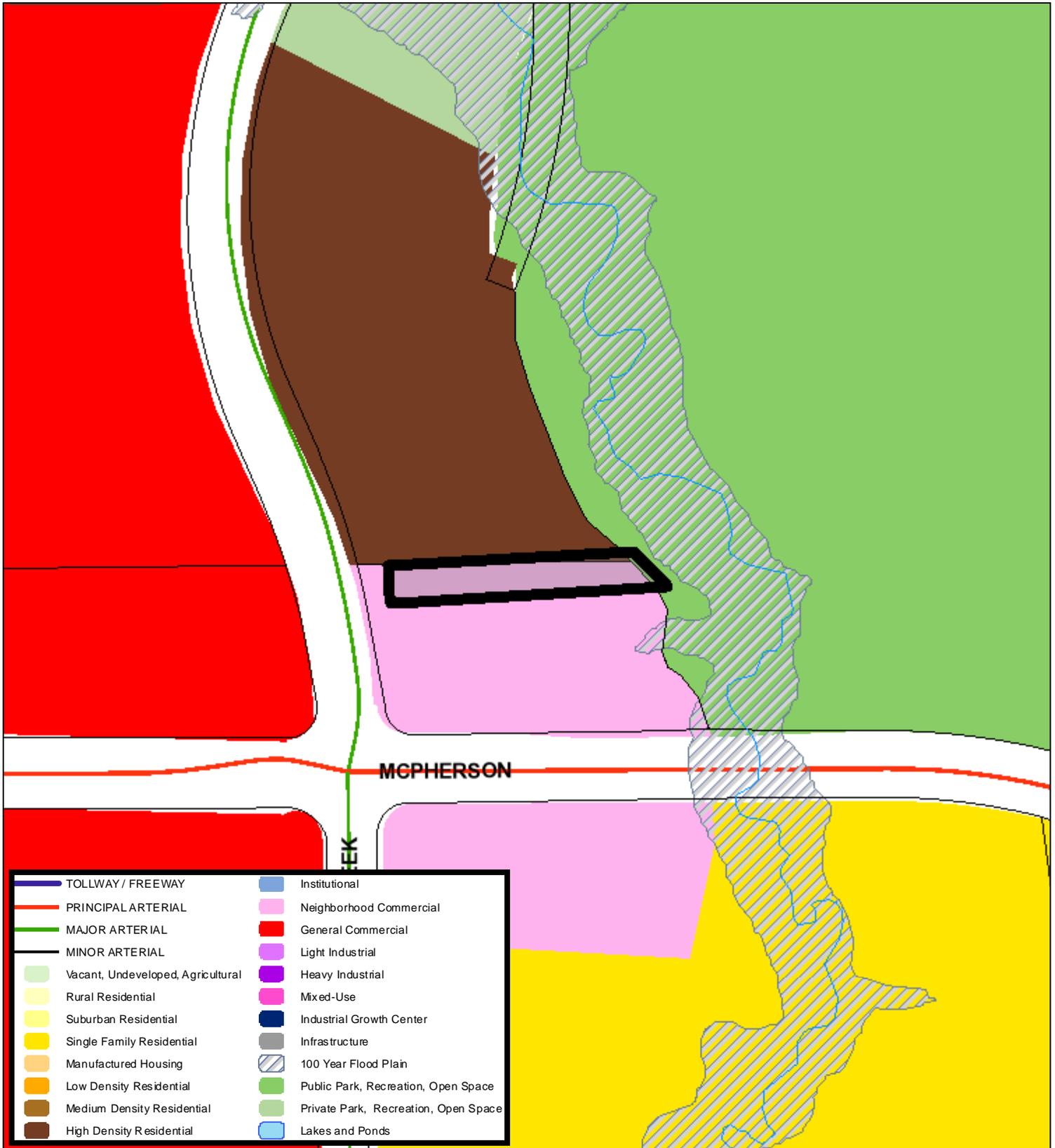


Area Zoning Map

Applicant:	Applicant:	SLF IV/Legacy Capital
Address:	Address:	9600 Block Summer Creek Drive
Zoning From:	Zoning From:	E
Zoning To:	Zoning To:	<u>PD-971</u> for D uses
Acres:	Acres:	0.895664
Mapsc0:	Mapsc0:	102Z
Sector/District:	Sector/District:	Far Southwest
Commission Date:	Commission Date:	05/13/2015
Contact:	Contact:	817-392-8043



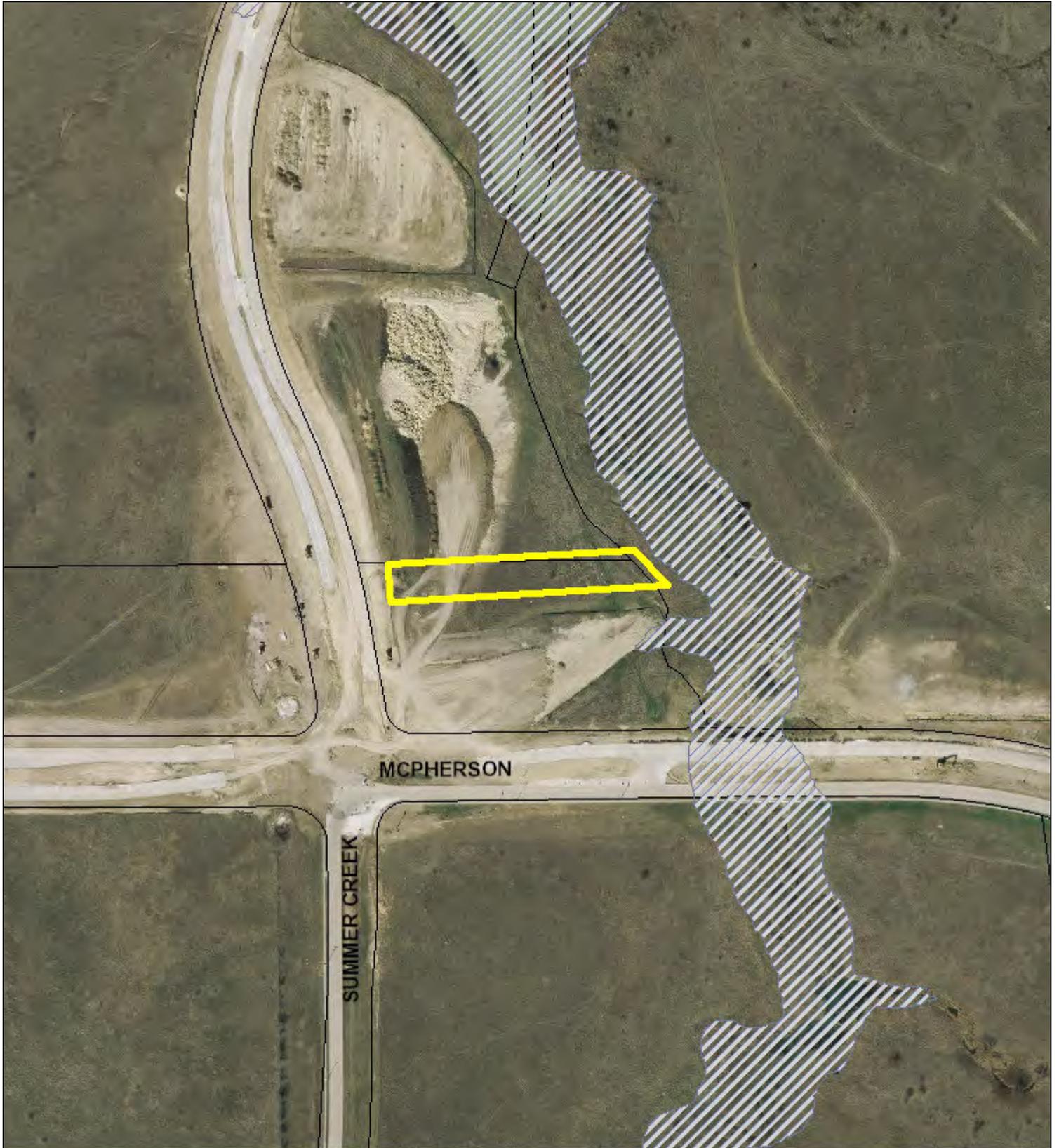
Future Land Use



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 17, 2015.



Aerial Photo Map



0 170 340 680 Feet



Ms. McDougall asked what his intentions are for the remainder of the property. Mr. Tidwell said they will sell it for commercial with the current zoning that is on it.

Ms. Moore asked about the operating hours. Mr. Tidwell said the hours of access are normally 6 am to 10 pm he is willing to change that from 8 am to 9 pm.

Mr. Flores asked Mr. Tidwell about the lighting. Mr. Tidwell said the note on the site plan says they will comply with the City’s requirements. He has agreed to do a photometric study of the foot candles and lighting on the back of building.

Ms. McDougall asked if there would be outside access. Mr. Tidwell said their facility is completely contained no outside units.

Motion: Following brief discussion, Ms. Moore recommended Approval of the request as Amended to include 8 ft. brick wall, relocate mechanical equipment/dumpster to eastside, provide faux windows on the south wall, and identify building access points, show lighting locations, seconded by Ms. Conlin. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-15-033
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Kenda Morales	328 Chase Hill	In	Opposition		Spoke at hearing
Alicia Sifuentes	408 Chase Hill	In	Opposition		Sent letter in
A petition was submitted with 30 signatures in opposition, see case file.					

3. ZC-15-034 SLF IV/Legacy Capital LP (CD 6) 9600 Summer Creek Drive (Juan Jose Albirado Survey, Abstract 4, 0.89 Acres): from “E” Neighborhood Commercial to “PD-971” Planned Development for all uses in “D” High Density Multifamily with a maximum of 24 units per acre; site plan required

Barry Hudson, 550 Bailey Avenue, Suite 400, Fort Worth, Texas representing SLF IV/ Legacy Capital LP explained to the Commissioners they are wanting to take about 9/10 of an acre and include it in the PD-971 for multifamily. Mr. Hudson said they reached out to Panther Heights NA and Summer Creek South HOA and received no opposition from them.

Motion: Following brief discussion, Ms. Moore recommended Approval of the request, seconded by Mr. Reeves. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-15-034
Name	Address	In/Out 300 ft notification area	Position on case		Summary
Dieter Satz	NA	Out	Opposition		Sent letter in