ZONING MAP CHANGE
STAFF REPORT

City Council Meeting Date: June 25, 2019

Continued Yes ___ No X
Case Manager Laura Evans
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: Denton Texas Venture LTD

Site Location: 6001 & 6093 Columbus Trail
Mapsco: 102 L, M, Q, R

Proposed Use: Retail, Single Family, Multifamily, and Detached Multifamily/Cottage Community

Request: From: "C" Medium Density Multifamily, "E" Neighborhood Commercial, and "G" Intensive Commercial
To: "A-5" One Family, "D" High Density Multifamily, "E" Neighborhood Commercial and PD/D Planned Development for all uses in "D" High Density Multifamily with Development Standards plus cottage community; site plan required with waivers to Multifamily Design Standards site plan submission and certain standards for cottage community only

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Staff Recommendation: Approval

Background:
The property is located and the southwest corner of Columbus Trail and Chisholm Trail Parkway. The applicant is proposing a zoning change to create a horizontal mixed-use development in anticipation of a future rail station to the north of the site.

The applicant wants to rezone to “A-5” One Family, “E” Neighborhood Commercial, “D” High Density Multifamily, and “PD/D” Planned Development for all uses in D plus a “cottage community”. A cottage community is a multifamily use that includes multiple individual, separate structures. This is considered multifamily because all of the homes are located on one lot, the units share community space, and there is a leasing office on site. As none of the city’s districts can accommodate this form at this time, a PD/D is necessary to allow the cottage community form.

The site is located with the Summer Creek Mixed-Use Growth Center. While the proposed zoning categories are not true mixed-use, a horizontal mixed-use development can be designed in such a way that it captures the intent of mixed-use zoning. The proposed rail station is part of the TEX Rail project.
connecting far southwest Fort Worth and DFW International Airport. Transit-oriented development typically occurs in a compact area, generally one-quarter mile around a transit stop, and supports ridership on the transit line.

The Master Thoroughfare Plan shows the extension of Brewer Road bisecting the site to connect from Columbus Trail to the north to the residential neighborhood to the south.

During the zoning commission hearing one person spoke in opposition with concerns regarding buffering and screening the adjacent A-5 neighborhood to the south. The applicant stated they will be working with the neighbors and HOA on those issues prior to the council hearing.

**Site Information:**

Owner: Denton Texas Venture Ltd.
212 S Palm Ste 200
Alhambra, CA 91801

Agent: Jerry Sylo / JBI Partners

Acreage: 119.53 acres

Comprehensive Plan Sector: Wedgewood & Far Southwest

Surrounding Zoning and Land Uses:
North “AG” Agricultural and “G” Intensive Commercial / undeveloped
East “A-5” One Family / single family and undeveloped
South “R1” Zero Lot Line/Cluster and “A-5” One Family / single family
West “E” Neighborhood Commercial / railroad and undeveloped

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-14-147 from unzoned to PD/G, PD/MU-2 & A-5; effective 12/1/15 (north of subject site)

Platting History: None

**Transportation/Access**

<table>
<thead>
<tr>
<th>Street/Thoroughfare</th>
<th>Existing</th>
<th>Proposed</th>
<th>In Capital Improvements Plan (CIP)</th>
</tr>
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<tbody>
<tr>
<td>Columbus Trail</td>
<td>Commercial Connector</td>
<td>Commercial Connector</td>
<td>No</td>
</tr>
<tr>
<td>Chisholm Trail Parkway</td>
<td>Tollway</td>
<td>Tollway</td>
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</table>

**Bus route:** There is not a bus route in the vicinity of the subject property.

**Public Notification:**

300 foot Legal Notifications were mailed on April 23, 2019.
The following organizations were notified: (emailed April 15, 2019)

<table>
<thead>
<tr>
<th>Organizations Notified</th>
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<tbody>
<tr>
<td>Summer Creek South HA</td>
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<tr>
<td>Summer Creek Meadows HA</td>
</tr>
<tr>
<td>District 6 Alliance</td>
</tr>
<tr>
<td>Trinity Habitat for Humanity</td>
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<tr>
<td>Villages of Sunset Pointe HA*</td>
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<tr>
<td>Summer Creek HA</td>
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<tr>
<td>Streams And Valleys Inc</td>
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<tr>
<td>Crowley ISD</td>
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*Closest registered neighborhood organization

**Development Impact Analysis:**

1. **Land Use Compatibility**
The applicant is proposing a zoning change to “A-5”, “E”, “D”, and “PD/D” Planned Development for D uses for construction of a detached multifamily cottage community. Surrounding land uses are primarily undeveloped to the north and west, and single family to the east and south.

The proposed zoning is compatible with surrounding land uses.

2. Comprehensive Plan Consistency

The 2019 Comprehensive Plan designates the subject property as Mixed-Use. The property will access Columbus Trail at the intersection of the Chisholm Trail Parkway, providing the development adequate access to a high capacity road and will not affect any area residential uses. The below Comprehensive Plan policies apply to this proposal:

- Promote commercial, mixed-use, and urban residential development within the Summer Creek TOD and SH 121/FM 1187 Mixed-Use Growth Centers, including the new Tarleton State University campus area.
- Encourage major employers, retail, and urban residential to locate at or near proposed transit stops and entryways to the Chisholm Trail Parkway toll road.
- 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.

INITIATIVE 3.2. NEIGHBORHOOD ALIGNMENT

Align neighborhood assets (people, businesses, and real estate) to benefit from and support citywide economic growth.

- 3.2.2.1. Provide developer incentives for the creation of new high-quality housing stock on vacant properties. These should include a range of housing types and price points such as single-family homes, townhomes, high-quality multi-family properties, and mixed-use developments with residential units on upper floors and retail/office space on ground floors.

The proposed zoning is consistent with the Comprehensive Plan.

Attachments:
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting
Applicant: Denton Texas Venture Ltd.
Address: 6001 & 6093 Columbus Trl
Zoning From: E, G, C
Zoning To: A-5, E, D, & PD/D plus cottage community, site plan required
Acres: 119.53473665
Mapsco: 102LMQR
Sector/District: Wedgewood & Far SW
Commission Date: 5/8/2019
Contact: 817-392-8043
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 5, 2019.
15. ZC-19-070 Blue Lightning Holdings, Inc (CD 8) – 9325 – 9333 (odds) Crowley Rd, 9324 – 9332 (evens) Parkview Dr (South Seminary Addition Lots 7-9; 28-30 Block 12, 1.14 ac.) From: “FR” General Commercial To: Add Conditional Use Permit for truck parking with setback waivers; site plan included

The applicant was not present.

Motion: Following brief discussion, Ms. Conlin recommended a 30-day continuance of the request, seconded by Mr. Aughinbaugh. The motion passed unanimously 9-0.

16. ZC-19-071 Ramon Lupian (CD 8) – 804 E Powell (Hyde Park Lots 230-231 Block 12, 0.18 ac.) From: “A-5” One-Family To: “E” Neighborhood Commercial

Ramon Lupian, applicant, stated he wants to rezone the property for an office.

Motion: Following brief discussion, Ms. Conlin recommended Approval of the request, seconded by Mr. Aughinbaugh. The motion passed unanimously 9-0.

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<thead>
<tr>
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<tr>
<td>Name</td>
<td>In/Out 300 ft. notification area</td>
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<tr>
<td>Ramon Lupian</td>
<td>Support</td>
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<tr>
<td>Odell and JoAnn Brown</td>
<td>Opposition</td>
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Jerry Sylo, representing the applicant, gave a brief presentation over the site and proposed rezoning. He stated there is a large floodplain that bisects the property that splits the development is half. The proposed single family will be adjacent to existing single family homes. The high density multifamily will be closest to the Primrose rail station. A cottage community is proposed for the middle of the development.

Larry Keils, spoke in opposition. He lives in Llano Springs. He thinks there will be opposition to the multifamily. He stated that Fort Worth is vehicle-driven and does not think the rail station will happen any time soon. He requested a continuance.
Michael Bilmore, spoke in opposition. He lives adjacent to the southern boundary. He thinks the residential development will overwhelm school districts. The homes adjacent to the site only have wrought iron fences. He thinks there should be discussions with the HOA and developer. He also requested a continuance.

During the rebuttal Mr. Sylo stated that he met with CM Jordan last year and because of the positive feedback they did not reach out to the HOAs. He stated there is significant floodplain separating the development with the existing single family. He believed there is time between now and council to have conversations and can continue the case at council if needed.

Motion: Following brief discussion, Ms. Runnels recommended a 30-day continuance of the request, seconded by Mr. Aughinbaugh. The motion passed unanimously 9-0.

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<tr>
<td>Name</td>
<td>Address</td>
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<tr>
<td>Jerry Sylo</td>
<td>2121 Midway Rd #300 Carrolton, TX</td>
</tr>
<tr>
<td>Support</td>
<td>Representing the applicant</td>
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<tr>
<td>Larry Keils</td>
<td>6036 Lacebark Elm Dr</td>
</tr>
<tr>
<td>Opposition</td>
<td></td>
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<tr>
<td>Michael Bilmore</td>
<td>8328 Blue Periwinkle Ln</td>
</tr>
<tr>
<td>Opposition</td>
<td></td>
</tr>
<tr>
<td>Brian T Farda</td>
<td>8316 Blue Periwinkle Ln</td>
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<td>Opposition</td>
<td>Sent notice</td>
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18. ZC-19-075 Tom Wittrock (CD 5) – 2905 Miller Ave (Eastwood Lot 1A Block 1, 0.25 ac.) From: “A-5” One –Family To: “ER” Neighborhood Commercial Restricted

Tom Wittrock, applicant, stated he is requesting a rezoning for an office for his rental properties. He has enough parking on-site and does not think it will negatively impact the area.

Motion: Following brief discussion, Mr. McDonnell recommended Approval of the request, seconded by Ms. Conlin. The motion passed unanimously 9-0.

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<tr>
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<tr>
<td>Tom Wittrock</td>
<td>2607 Suzanne</td>
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<tr>
<td>Support</td>
<td>Representing the applicant</td>
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