



**SITE PLAN AMENDMENT  
STAFF REPORT**

**City Council Meeting Date:**  
June 16, 2015

**Council District** 7

<p><b>Zoning Commission Recommendation:</b> Approval as Amended to deny the waiver for more than 100% parking by a vote of 8-0-1</p> <p><b>Opposition:</b> None submitted <b>Support:</b> None submitted</p>	Continued	Yes ___ No <u>X</u>
	Case Manager	<u>Lynn Jordan</u>
	Surplus	Yes ___ No <u>X</u>
	Council Initiated	Yes ___ No <u>X</u>

**Owner / Applicant:** LVG Investments

**Site Location:** 5306-5336 (evens) White Settlement Road, 127 Roberts Cut-off Road  
Mapsc0: 61SW

**Proposed Use:** Site plan for PD-724 for Mixed-Use

**Companion Cases:** ZC-13-179/PD-724/SP-14-006

**Mixed Use Design Principles Consistency:** Requested Site Plan is **not consistent.**  
**(Technical Inconsistency)**

**Background:**

The applicant is amending the site plan for PD-724 for the tract zoned "PD/MU-1" Planned Development for "MU-1" Low Intensity Mixed-Use. The site is north along White Settlement Road a minor arterial. Multiple rezonings have occurred along White Settlement in the past year to Mixed-Use to take advantage of the central city location and proximity to the Trinity River. A site plan has been previously approved for the property; however the layout of the buildings and parking continues to be adjusted.

The applicant is proposing two phases. The first phase will consist of approximately 300 units of apartments with two story, 8,000 to 10,000 square feet of retail and restaurant uses along the river as well as a 5,000 square foot pavilion in coordination with the Trinity River Vision. Phase One will include extensive surface parking in the center of the development. Phase Two will consist of a parking garage to accommodate the removed surface parking. The first floor of the parking garage to be mixed use as well as more mixed-use/retail and restaurant uses in the center of the development.

At the Zoning Commission meeting the Commissioners had concerns with too much parking being provided and the sustainability of the project.

Building	Use	Phase I	Phase II	Previously Approved site plan
A	Restaurant/ Retail	2 story/8,000 sq. ft. per floor		2 story/25,000 sq. ft. per floor
B	Restaurant/	2 story/10,000 sq. ft. per floor This phase to include mobile		2 story/25,000 sq. ft.

	Retail	vendor area		per floor
E	Apartments	5 story/53,000 sq. ft. per floor, 300 units		5 story/64,000 sq. ft. per floor, 380 units
F	Pavilion	1 story/5,000 sq. ft.		5 story/60,000 sq. ft. per floor; total count 280 units; no pavilion
C	Restaurant/ Retail		3 story/15,000 sq. ft. per floor	2 story/25,000 sq. ft. per floor
D	Restaurant/ Retail		3 story/8,000 sq. ft. per floor	2 story/25,000 sq. ft. per floor

**Design Review Findings:**

Below are the four General Development Principles of Mixed Use Districts:

1. Promote a pedestrian-oriented urban form.
2. Require excellence in the design of the public realm and of buildings that front public spaces.
3. Encourage creativity, architectural diversity, and exceptional design.
4. Promote sustainable development that minimizes negative impacts on natural resources.

The applicant is requesting several waivers to the principles and standards for mixed-use and walkability.

It is Design staff's opinion that the waivers being sought are **not consistent** with and represent a **technical inconsistency** from the intent and development principles of the mixed-use ordinance because of the additional parking and prominence of the parking lots that is not desirable in a mixed use area. (The parking areas are planned to developed upon in future phases, with parking accommodated by a multi-story garage.) Based on this conclusion, design staff **recommends approval** to the waivers except for the maximum 100% parking.

**Site Information:**

Owner: LVG Investments  
2909 Cole Avenue  
Suite 210  
Dallas, TX 75204

Agent: Richard Smith

Acreage: 13.55 acres

Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

North "B" Two-Family / gas well site and vacant

East "I" Light Industrial / industrial and commercial use

South "A-5" One-Family and "I" Light Industrial / bar, automotive and commercial use

West "B" Two-Family, "E" Neighborhood Commercial, "I" Light Industrial / Trinity

River/Trailhead

**Site Plan Comments:**

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations.

1. Indicate whether streets are public or private with dimensions.
2. Indicate the dimensions of drive approaches and easements.

**Mixed Use Principles and Standards:**

A summary list of the requests is below. **Please see the attached chart for detailed analysis.**

1. Proposed 35' setback from the primary street due to significant topography constraint, (buildings A, B and C). *(waiver requested)*
2. 0% primary street frontage (buildings A, B and C). *(waiver requested)*

3. Vehicular drive-through lane located between the building front and the street. *(waiver requested)*
4. ~~Proposed to provide more than 100% maximum parking with large surface parking lots. *(waiver requested)*~~
5. Proposed to have street-facing, detached garages lining the north, east and west facades of the multifamily block (building E on the site plan). Design staff recommends the waiver to allow detached garages to be located between the building front and the street be granted with the following conditions:
  - A. Streets/driveways be built to minimize curb cuts and vehicular conflicts.
  - B. Garages be built with transparency.
  - C. Provide enhanced street facing pedestrian entrances into the multifamily complex.
  - D. Garages be built in a manner that allows them to transition to retail use over time. *(waiver requested)*

**The Zoning Commission recommended waivers to items 1, 2, 3 & 5.**

**Transportation/Public Works (TPW) site plan comments:**

No comments at this time

**Platting site plan comments:**

No comments at this time.

**Parks site plan comments:**

This development is within the boundaries of Park Planning District 4 and the Neighborhood and Community Park Dedication Policy applies. There is a required \$500.00 PACSD fee due for each new residential unit to be constructed. All fees must be paid in full, at or before the time of applying for a building permit. No City permits will be issued until the PACSD fees have been paid. Projected 400 MF Units would be \$200,000.00 in Park Dedication fees. Final Unified Residential Development count would determine exact fees required. Call Joe Janucik at 817-392-5706 for additional information.

**Comments made by Platting, TPW, Parks and Water staff cannot be waived through the Zoning Commission. Approval of the site plan does not constitute Platting, Water and TPW acceptance of conditions.**

**Recent Relevant Zoning and Platting History:**

Zoning History: ZC-13-179, SP-14-006, PD-724; Planned Development for "MU-1" Low Intensity Mixed-Uses up to five stories for single use building; site plan required and approved by City Council 02/14/14.

Platting History: To be submitted May 26, 2015.

**Transportation/Access**

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
White Settlement Rd	Minor Arterial	Minor Arterial	No

**Public Notification:**

The following Neighborhood Associations were notified:

Organizations Notified	
Riverbend NA	
Streams & Valleys, Inc. (West Fork Trinity River)	Castleberry ISD
Trinity Habitat for Humanity	Fort Worth ISD

**Attachments:**

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map

- Aerial Photograph
- Site Plan
- Design Review Staff Report
- Minutes from the Zoning Commission meeting

## **Design Staff Findings and Recommendations**

Staff findings and recommendation for each individual waiver is listed below.

### **Required Primary Street Frontage and Front Yard Setback**

It is design staff's professional opinion that the applicant has provided an acceptable design solution that will create a walkable pedestrian environment while still accommodating the site's legitimate topography constraints. Therefore, **staff recommends approval of the primary street frontage and front yard setback waiver.**

### **Commercial and Mixed-Use Parking Table**

**It is design staff's professional opinion that the waiver to provide more than the maximum number of parking spaces be denied.** Due to the proximity of the Trinity Trails, design **staff recommends the project utilize this unique asset to promote the use of cycling and walking and use extra land not devoted for surface parking as an open space amenity for the multi-family residents until the land is needed for future development phases of the project.**

### **Off-Street Parking and Loading Standards**

**Design staff recommends that the waiver to allow detached garages to be located between the building front and the street be granted but with the following conditions:**

- 1) Streets/driveways be built to minimize curb cuts and vehicular conflicts**
- 2) Garages be built with transparency,**
- 3) Provide enhanced street facing pedestrian entrances into the multi-family complex**
- 4) Garages be built in a manner that allows them to transition to retail use over time.**

## URBAN DESIGN REVIEW, SP-15-004

### ***LOW INTENSITY MIXED-USE DISTRICT (MU-1) APPLICABLE STANDARDS AND GUIDELINES***

#### **4.1302 A 2 a. GENERAL DEVELOPMENT PRINCIPLES**

**1. Promote a pedestrian-oriented urban form.** In contrast to conventional zoning standards that place a primary emphasis on the regulation of land uses, mixed-use development standards and guidelines focus on promoting a walkable, urban form of development, consistent with the surrounding area's historic urban character. The focus on form promotes buildings that conform to tested urban design principles.

**2. Require excellence in the design of the public realm and of buildings that front public spaces.** The most successful and memorable urban environments are those in which walking down the street is appealing. Streets, plazas, parks, and other public spaces should be comfortable and inviting, and buildings fronting those spaces should be active and visually interesting at the pedestrian level.

**3. Encourage creativity, architectural diversity, and exceptional design.** Mixed-use is intended to promote high quality design, and the development review process for mixed-use projects is intended to promote flexibility. Standards and guidelines, as well as the development review process, are intended to support creativity and exceptional design while discouraging uniformity.

**4. Promote sustainable development that minimizes negative impacts on natural resources.** Creating a walkable, higher density residential district surrounding mixed-use districts supports sustainable development by providing an alternative to low density development in peripheral areas. In accordance with sustainable development principles, the mixed-use buildings and public spaces should be designed to minimize negative impacts on air and water quality and promote innovation in environmental design.

### ***REVIEW OF PROPOSED MU-1 WAIVERS***

When waivers from the mixed-use zoning ordinance are being sought, design staff looks to the development principles established in the zoning ordinance for guidance when evaluating these waivers. The development principles are based on proven urban design principles and establish the basis of intent on which development project waivers are evaluated. Design staff's evaluations of the waivers being sought for the Chrystal Springs project are as follows:

#### **4.1300 C.2.a. Required Street Frontage, Primary Street**

#### **4.1300 C.3 Front Yard Setback**

*Buildings A, B, and C exceed the maximum 20 foot setback on the primary street. On buildings A, B, and C 50% primary street frontage is required, the applicant is proposing 0%.*

The first development principle of MU-1 places a primary emphasis on creating a walkable, pedestrian friendly form of development. The intent of requiring building street frontage and maximum setbacks is to encourage a more prominent and continuous street wall that promotes a multi-modal, pedestrian friendly environment. When evaluating the waivers for setback and frontage on this particular project, design staff had to consider legitimate topography and site constraints that ultimately dictated the need for a setback and frontage waiver.

#### **4.1300 D.1 Commercial and Mixed-Use Parking Table**

*Chapter 6 of the zoning code allows commercial uses up to 125% parking when extra trees are provided. The mixed-use ordinance caps your parking at 100% of the Chapter 6 requirement in order to reduce the amount of surface parking lots and to encourage other forms of mobility rather than driving. The Chrystal Springs project is providing more than 100% maximum parking with large surface parking lots.*

MU-1 development principle 4 promotes sustainable development that minimizes negative impacts on air and water quality and promotes innovation in environmental design. Mixed-use districts should limit parking in order to promote the use of transit, cycling and walking. When a

project devotes more space than needed to parking, it makes driving a more convenient option thus reducing the incentive to walk or bike to your destination. Also, because the Chrystal Springs project directly fronts the Trinity River, large impervious surfaces should be limited where possible. Areas with large impervious surfaces don't allow water to soak naturally into the ground. The water instead rushes across the landscape carrying pollutants and biological contaminants into natural waterways which can poison wildlife and lead to water quality degradation.

#### **4.1300 D.4.e. Off-Street Parking and Loading Standards**

*The mixed-use ordinance does not allow parking between the building front and the street unless it functions as on-street parking. The Crystal Springs project is proposed to have street-facing, detached garages lining the north, east and west facades of the multi-family block (Building E on the site plan). These garages function as off-street parking and thus are not allowed under the ordinance.*

MU-1 development principles 1 and 2 place a primary emphasis on creating a walkable, pedestrian friendly form of development and requires excellence in design of the public realm. The most successful and memorable urban environments are those in which walking down the street is appealing. In urban environments parking and garage placement is critical to the success and liveliness of the streetscape. Blocks lined with vehicular garages force pedestrian and vehicular conflicts, blocks the buildings enhanced façade, and limits pedestrian accessible entrances into the building.

### **OVERALL PROJECT ANALYSIS**

The Chrystal Springs mixed-use development is unique due to the presence of the river front, the historical heritage of the site and the topographic constraints. The applicant has worked to create a development that celebrates the river, promotes the heritage of the historic western swing dance hall pavilion and addresses the slope/grading requirements of the site all within the design context of an urban environment. Conceptual renderings and elevations of the project are attached for reference.

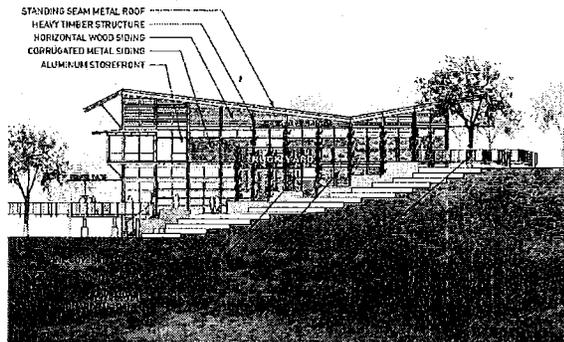
The western portion of the site fronts the river and is proposed to be a series of retail, restaurant and food truck venues that will accommodate large festivals and entertainment events. Buildings labeled A, B and C on the site plan are located within the floodplain and require a stilt system in order to raise the habitable space out of the floodplain. A topographical cross section cut from east to west across the site reveals a significant change in elevation. To accommodate grade/elevation changes, buildings A, B and C will be elevated and setback from the street. A series of at-grade decks with trees will form a large plaza in order to accommodate and encourage pedestrian activity at the street level of the buildings.

The middle portion of the site is slated for future retail development and a future parking garage. Large surface parking lots will be constructed in the interim. While parking will be needed for events and residents, providing more than the maximum required is seen as a hindrance to establishing the projects initial walkable environment. When people are provided with ample, free, and convenient parking they are much less willing to give up that amenity in the future, thus not contributing to the long term vision of creating a mixed-use walkable environment.

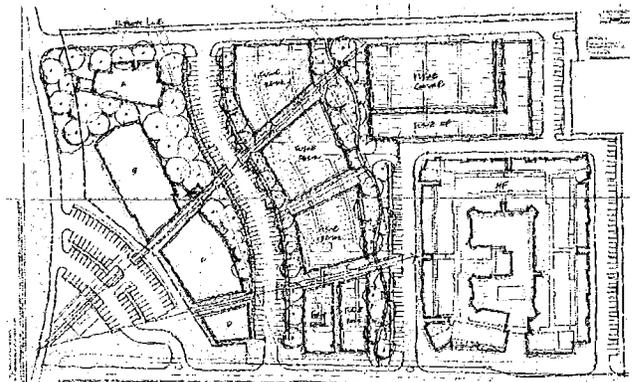
The eastern portion of the site is proposed to be a multi-family complex with detached garages lining the street facing facades. Design staff recognizes the architectural design for this project was established several years ago when the case first came before the Zoning Commission therefore the applicants were reluctant to change the architectural plans. Working with the applicant, staff was not able to get the garages placed behind the building but we were able to negotiate incorporating design elements that will help soften the appearance of the garages and create a more attractive streetscape. The applicant has proposed to construct a curb less or roll curb streets that eliminates the need for multiple curb cuts and makes a smoother transition to the pedestrian streetscape. Glass rollup garage doors will be used to create the feeling of transparency. Pocket parks and common entrances delineated by landscaping and awnings will be provided intermittently along the street in order to provide an enhanced pedestrian entry accessible from the sidewalk. Street trees and plantings will be clustered along the streetscape to mimic the grove appearance that is present throughout the site. Most importantly, the applicant is proposing to construct the garages in a manner that will allow them to transition to small retail/boutique shops over time which will promote a true mixed-use walkable environment.

## Conceptual Illustrations for the Chrystal Springs Development Project

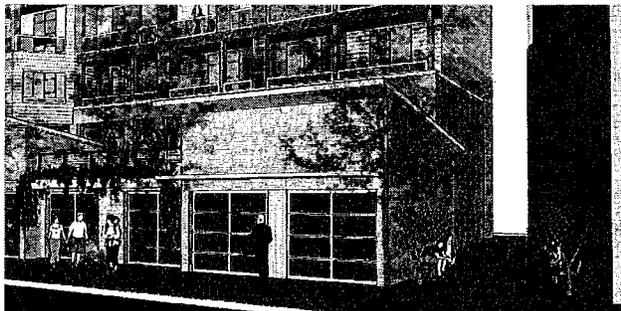
*Conceptual Drawing Depicting Buildings Using Topography & Decks to Transition to the River*



*Conceptual Site Plan Showing Future Phases*



*Conceptual Renderings Depicting Garage Facades and Common Pedestrian Entrances*



## **DESIGN STAFF FINDINGS AND RECOMMENDATIONS**

Staff findings and recommendation for each individual waiver is listed below.

### Required Primary Street Frontage and Front Yard Setback

It is design staff's professional opinion that the applicant has provided an acceptable design solution that will create a walkable pedestrian environment while still accommodating the site's legitimate topography constraints. Therefore, staff recommends approval of the primary street frontage and front yard setback waiver.

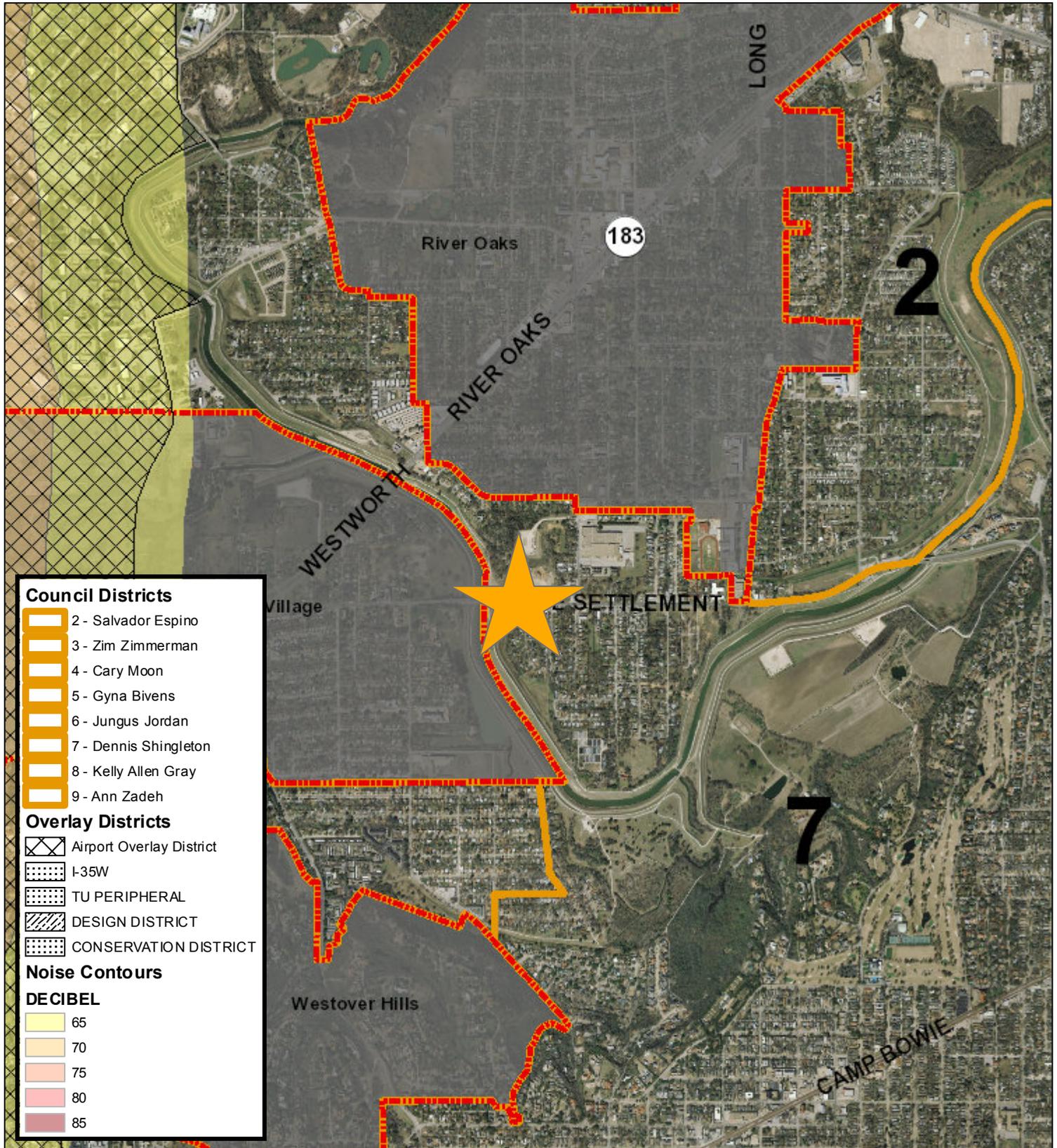
### Commercial and Mixed-Use Parking Table

It is design staff's professional opinion that the waiver to provide more than the maximum number of parking spaces be denied. Due to the proximity of the Trinity Trails, design staff recommends the project utilize this unique asset to promote the use of cycling and walking and use extra land not devoted for surface parking as an open space amenity for the multi-family residents until the land is needed for future development phases of the project.

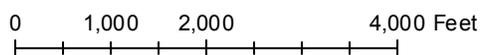
### Off-Street Parking and Loading Standards

Design staff recommends that the waiver to allow detached garages to be located between the building front and the street be granted but with the assurance that the street/driveways be built to minimize curb cuts and vehicular conflicts, the garages be built with transparency, enhanced street facing pedestrian entrances into the multi-family complex are provided, and that the garages be built in a manner that allows them to transition to retail use over time.

## Area Map

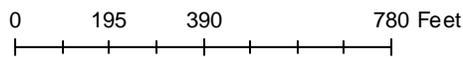
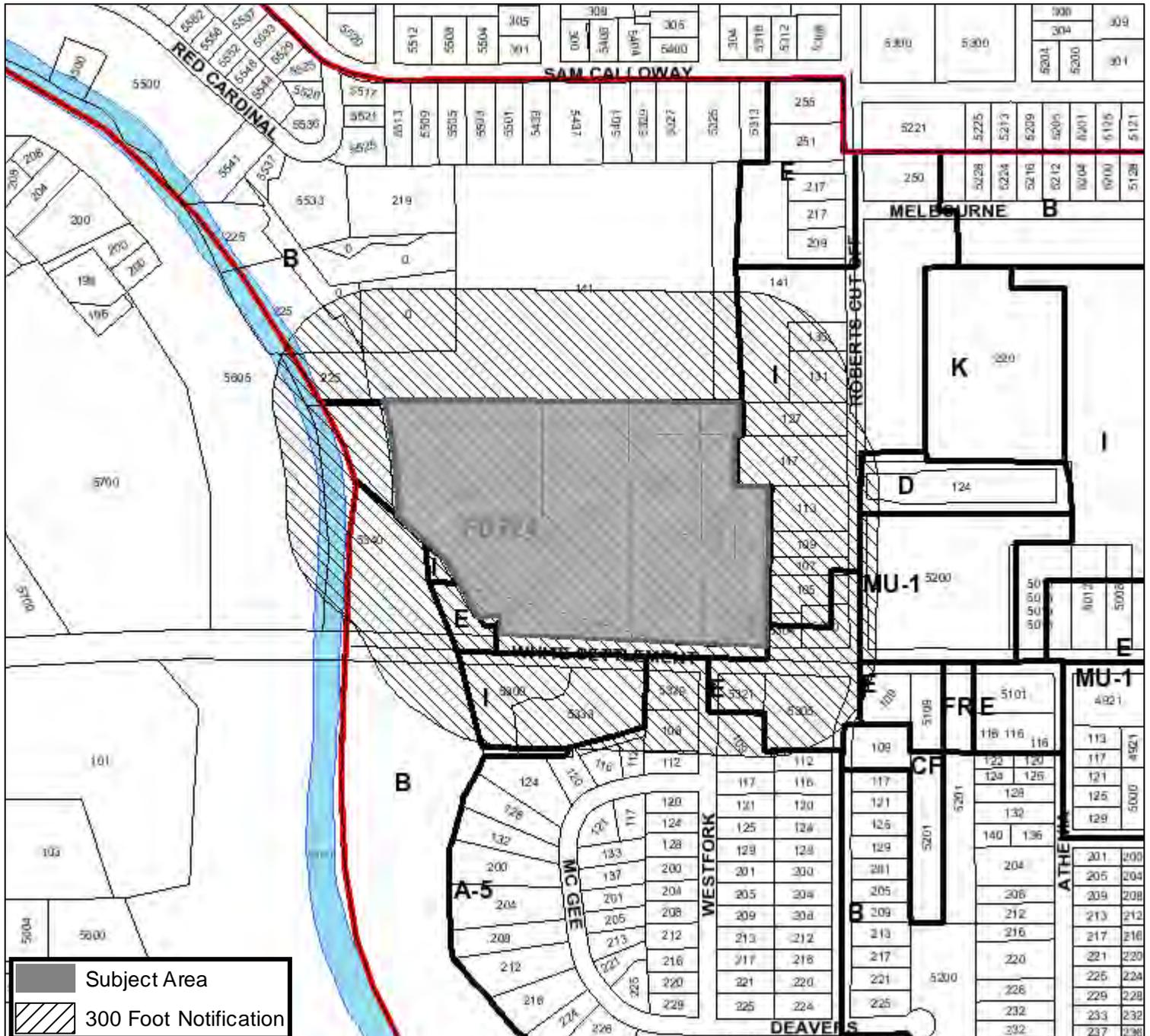


Council Districts	
	2 - Salvador Espino
	3 - Zim Zimmerman
	4 - Cary Moon
	5 - Gyna Bivens
	6 - Jungus Jordan
	7 - Dennis Shingleton
	8 - Kelly Allen Gray
	9 - Ann Zadeh
Overlay Districts	
	Airport Overlay District
	I-35W
	TU PERIPHERAL
	DESIGN DISTRICT
	CONSERVATION DISTRICT
Noise Contours	
DECIBEL	
	65
	70
	75
	80
	85



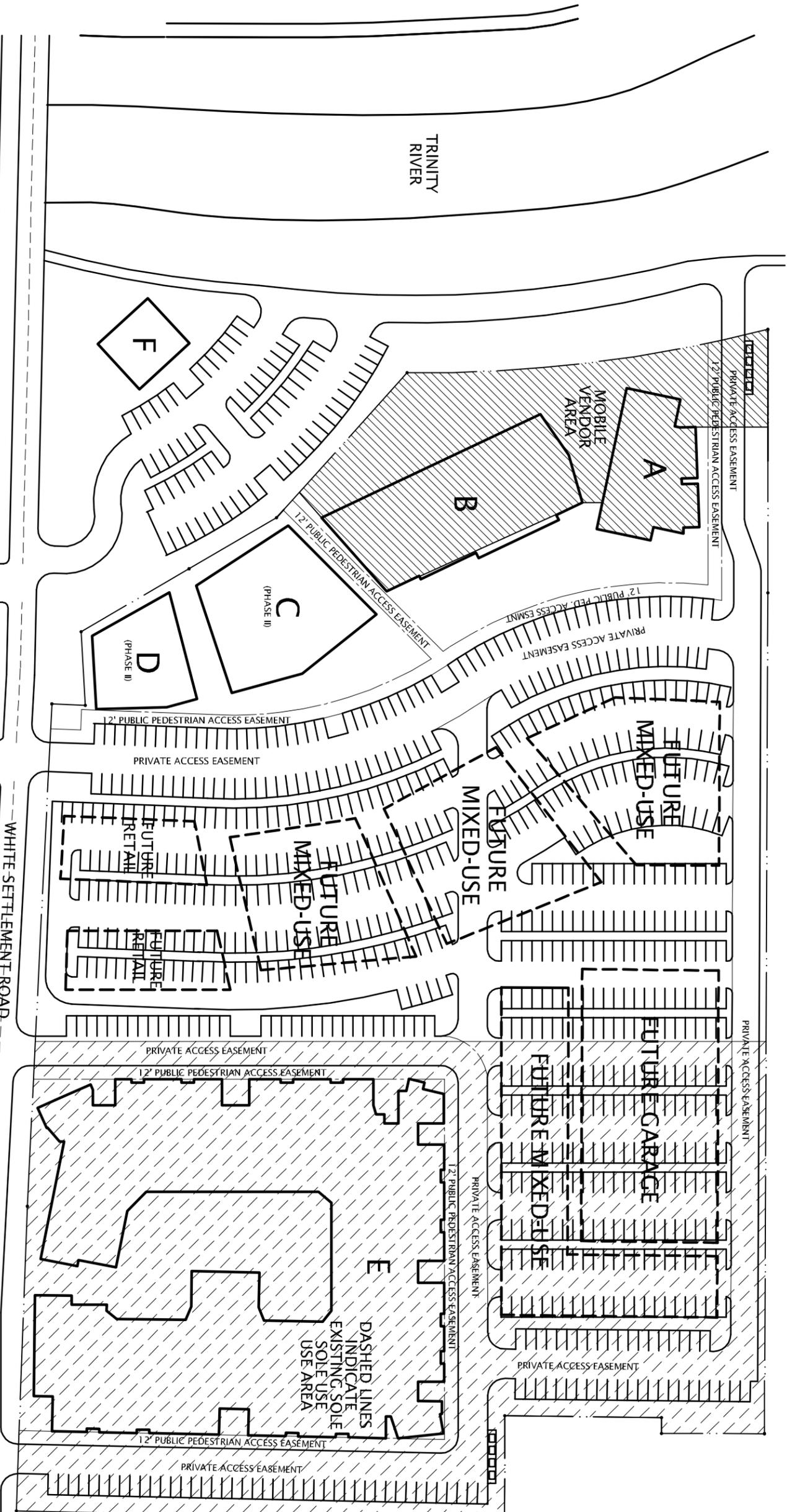
### Area Zoning Map

Applicant: LVG Investments  
 Address: 5306-5336 (evens) White Settlement Road, 127 Roberts Cut-off Road  
 Zoning From: PD 724  
 Zoning To: Revise Site Plan for PD 724 PD/MU-1  
 Acres: 13.56120268  
 Mapsco: 61SW  
 Sector/District: Northside  
 Commission Date: 6/10/2015  
 Contact: 817-392-2495



**NOTES**

1. Private garages located within the Allowable Sole Use Area can be converted to the allowable Entertaining and Eating, Office and Retail Sales and Service as allowed in 4.1200 FORM BASED CODE DISTRICT USE TABLE.
2. Buildings A, B, and C have no maximum setback.
3. Buildings A, B, and C are not required to meet 4.1300 Low Intensity Mixed-Use (MU-1) District, C. Property Development Standards: 2. Required Street Frontage, a. Primary street frontage.
4. Project will comply with 4.1300 Low Intensity Mixed-Use (MU-1) District, D. Off-Street Parking and Loading requirements.
5. Future Parking Garage to be built prior to other future buildings in order to comply with parking requirements.
6. Project will comply with Section 6.400 Signage.
7. Project will comply with 6.300 Urban Forestry and Landscaping.



ON-SITE PARKING = 782 SPACES



**SITE PLAN - PHASE I AND II**

**BUILDING INFORMATION:**

**PHASE I**

- RESTURANTS AND RETAIL**
- A. TWO STORY - 8,000 SF PER FLOOR: TOTAL AREA = 16,000 SF
  - B. TWO STORY - 10,000 SF PER FLOOR: TOTAL AREA = 20,000 SF
- TOTAL RESTURANT AND RETAIL AREA = 36,000 SF

- APARTMENTS**
- E. FIVE STORY - 53,000 SF PER FLOOR - TOTAL AREA = 265,000 SF
- PAVILLION**
- F. ONE STORY - TOTAL AREA = 5,000 SF
- TOTAL APARTMENTS = 300 UNITS

**PHASE II**

- RESTURANTS AND RETAIL**
- C. THREE STORY - 15,000 SF PER FLOOR - TOTAL AREA = 45,000 SF
  - D. THREE STORY - 8,000 SF PER FLOOR - TOTAL AREA = 24,000 SF
- TOTAL RESTURANT AND RETAIL AREA = 69,000 SF



**CRYSTAL SPRINGS**

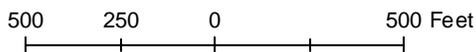
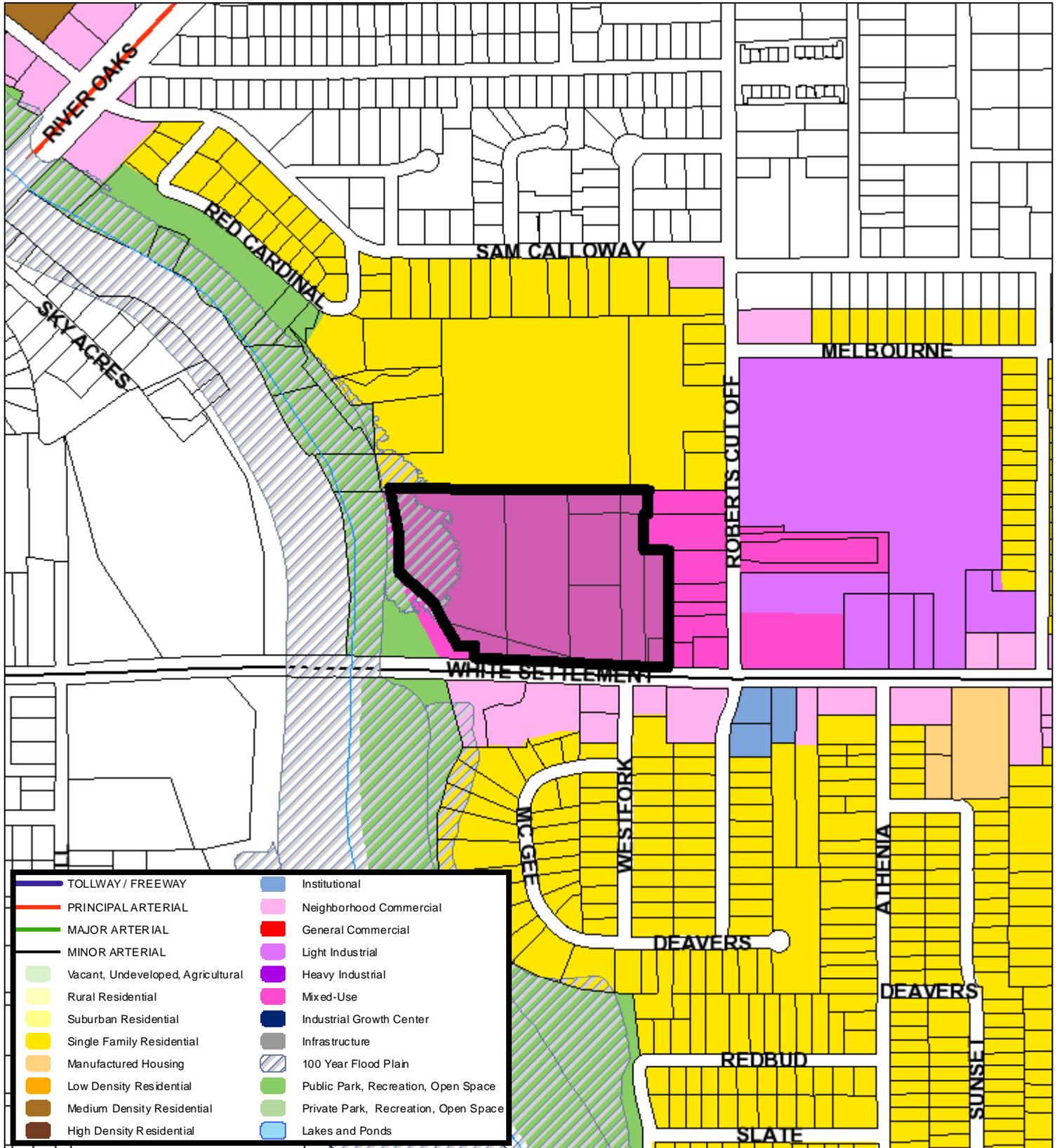
**LVG INVESTMENTS, LLC - RICHARD SMITH ARCHITECT, LLC**

28 MAY 2014  
2909 COLE AVENUE, SUITE 210, DALLAS, TX 75231  
SCALE: 1"=0" = 60' - 0"

SITUATED in the City of Fort Worth, Tarrant county, Texas, and being a tract of land in the N.H. CARROLL SURVEY, Abstracts No. 264, and embracing those certain tracts conveyed to John R. Campbell and Joe Cloud by deeds recorded in Volume 4450, Page 317 (described as being a 12.866 acre tract), and Volume 7689, Page 570 (described as being 7447 square feet), of the Tarrant County Deed Records

ZONING CASE NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_  
DIRECTOR OF PLANNING AND DEVELOPMENT: \_\_\_\_\_

### 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**



0 312.5 625 1,250 Feet

