



## PLANNING

**To: Planning & Zoning Commission**

**Item No. 4**

**From: David Soto, Planning Manager**

**Re: Planning & Zoning Commission Meeting – February 7, 2023**

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**Agenda Item:**

Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-94 (PD-94), for the Westside Development, on 63.7± acres., located northside of University Drive and east of FM 1385. (Z22-0020).

**History:**

In 2018, Planned Development-94 was approved for the Westside development, which was intended to be a mixed-use development including various uses, including, but not limited to multifamily, indoor commercial amusement, limited-service hotel, restaurant, retail, convenience store with gas pumps, and open space.

In early 2022, Planned Development-94 was amended to the update the PD with regards to an extended stay hotel. The updates included the type of hotel, layout elevation and parking accommodations.

**Description of Agenda Item:**

The zoning and land use of the surrounding properties are as follows:

	<b>Zoning</b>	<b>Current Land Use</b>	<b>Future Land Use Plan</b>
<b>Subject Property</b>	Planned Development-94	Undeveloped	US 380 District
<b>North</b>	Agricultural and Planned Development-40-Single Family	Glenbrook Subdivision and Undeveloped	Medium Density Residential
<b>East</b>	Planned Development-40-Single Family	Undeveloped (floodplain)	US 380 District
<b>South</b>	Town of Little Elm	Holt Cat Equipment Sales	Town of Little Elm

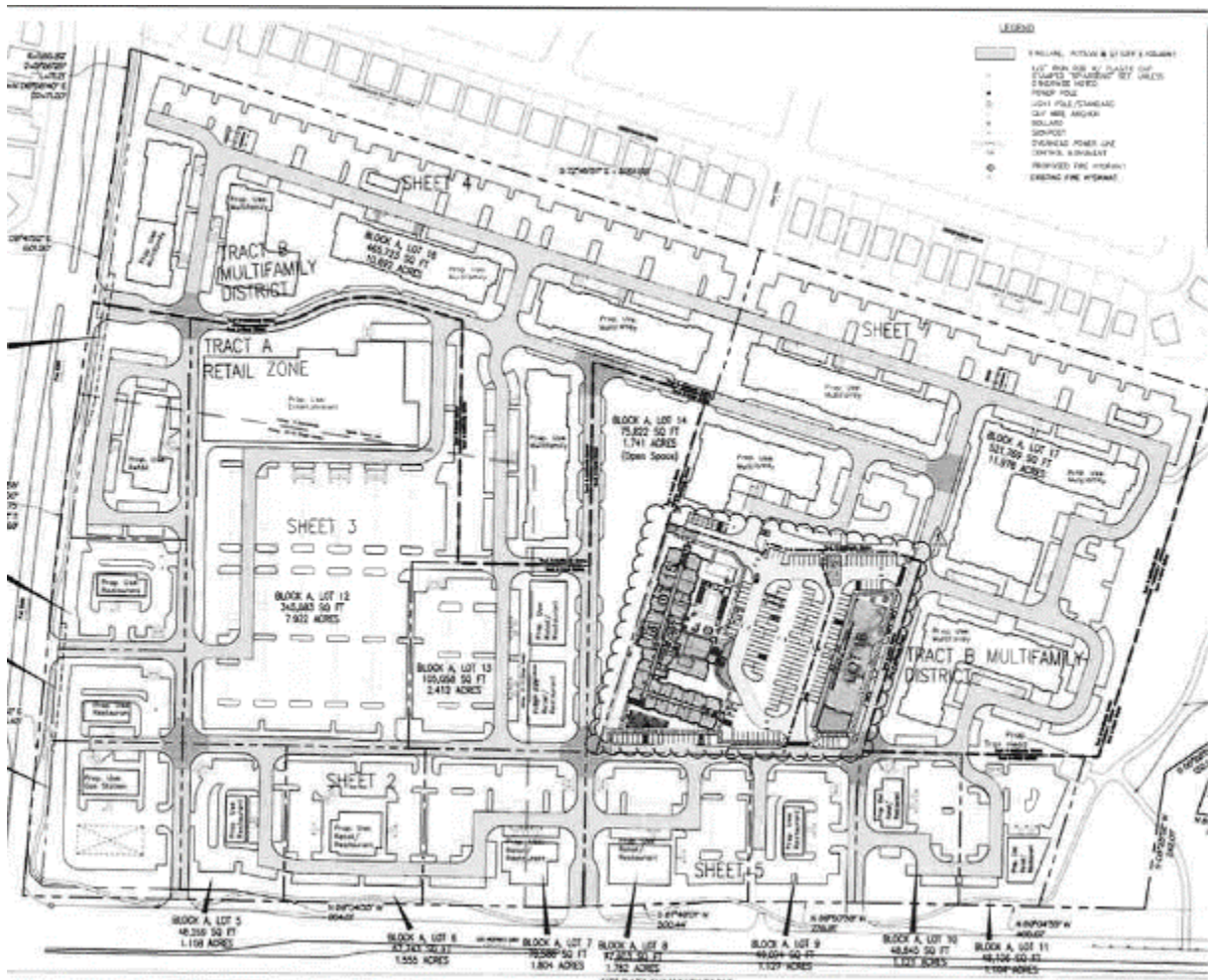
West	Denton County	Undeveloped, Savannah Subdivision, and Valero Gas Station	Denton County
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**Requested Zoning** – The applicant is requesting to amend the PD to allow a big box retail use. The total sqft consist of 160,508sqft. Rather than applying for an SUP, the applicant has made amendments to the current PD.

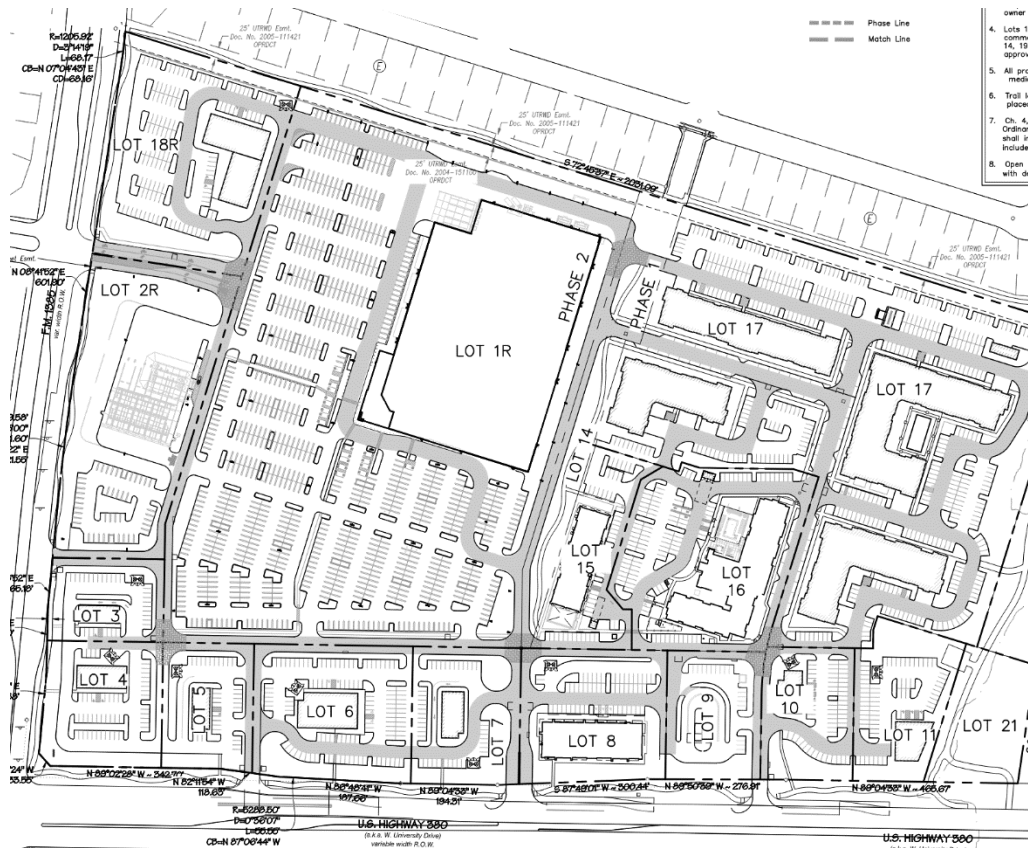
Details about the major proposed amendment are outlined below.

- *Permitted Uses* – The current PD requires a Specific Use Permit for a big box use. The proposed PD has been modified to allow a big box use as well as gas pumps as an accessory use. The PD allowed a maximum total of 480 multifamily units, the applicant is revising to two hundred and forty-three (243) units.
- *Layout* – To accommodate the new big box use, the proposed layout has been modified.

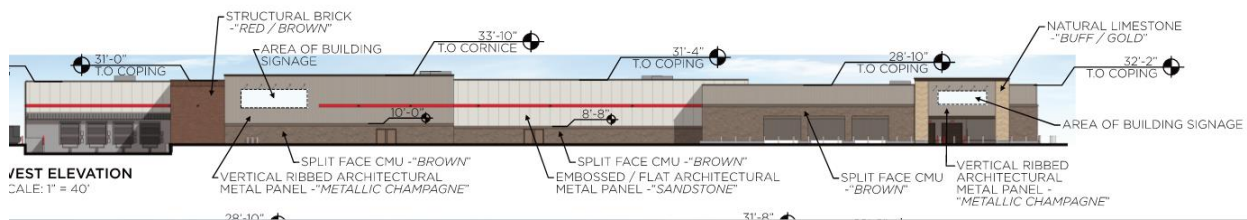
#### Current Layout



## Proposed Layout



- **Architecture** – The PD amendment proposes to replace the indoor amusement. The proposed big box use will be constructed of brick, split face CMU, and metal panels as shown below. The applicant will submit an amended development agreement.



- **Triggers** – The PD requires certain square footage to be built in order for multifamily phases to occurred. There are no changes to the triggers within this PD amendment.
- **Open space** – The PD does alter the configuration of the urban open space, but the acreage remains the same. The pedestrian from the central area of the development to the Glenbrooke neighborhood to the north via Kent Drive has been removed. This was requested by Glenbrooke neighborhood. The phasing of the construction does not change from the Planned Development.
- **Number of Restaurants with Drive -Throughs** - The PD originally allowed a total of four (4) restaurants with drive through, two (2) allowed on FM 1385 and two (2) along US 380. The



applicant has kept the total number of drive - through restaurants allowed, but has revised the locations of the allowable use. The applicant is proposing three (3) noncontiguous shall be permitted along US 380 and a maximum of one (1) shall be permitted along FM 1385.

- Loading Dock – The applicant has requested a modification to propose a loading dock one hundred fifteen feet (115') from adjacent residential land use, as shown on Exhibit D. Per our zoning ordinance, at least two hundred feet (200') is required from adjacent residential land uses. The applicant is proposing six (6') in height above finish grade on the north side of wall be provided, in addition to the eight (8') screening wall between non-residential and residential.
- Landscaping/screening – The applicant has proposed an eight (8') precast concrete screening wall and shade trees along the retail side adjacent to the residence as well as a modified living screen along the multifamily side adjacent to the residences.

No other aspect of the proposed PD related to other uses or provisions are proposed to be modified with this amendment. Staff recommends approval of this request as presented.

**Future Land Use Plan** – The Future Land Use Plan recommends US 380 District for the property. The request conforms to the Future Land Use Plan.

#### **Highway 380 District**

Much like the Dallas North Tollway district, the Highway 380 district will contain a variety of different uses. The major contrast between Highway 380 and other districts will be the inclusion of a big box development and commercial service uses. Types of appropriate commercial include hotels, banks, vehicle refilling stations with a convenience store, home service centers with outside storage, garden center with outside storage and other similar uses which serve the community but are not necessarily desired on Preston Road or within the Dallas North Tollway corridor. Residential land uses may be appropriate within certain areas, particularly away from major intersections where retail and commercial will be the highest and best land use. Residential land uses may include patio homes, snout houses, townhomes and brownstones. These residential areas may serve as a buffer between more intense activity along Highway 380 and low density residential areas to the north.



**Thoroughfare Plan** – The property is adjacent to US 380, a future six-lane divided major thoroughfare and FM 1385 a future six-lane divided major thoroughfare.

**Parks** – This property is not needed for the development of a public park. Hike and bike trails are required in conjunction with development of the property in accordance with the Hike and Bike Trail Map of the Parks Master Plan.

**Legal Obligations and Review:**

Zoning is discretionary. Therefore, the Planning & Zoning Commission is not obligated to approve the request. Notification was provided to neighboring property owners as required by state law. To date, staff has 2 letters in response to the proposed zoning request including 1 letter against the proposed zoning request.

**Attached Documents:**

1. Aerial and Zoning Maps
2. Proposed Exhibits
3. Proposed Exhibit C Redlines (Tract A)
4. Reply Forms

**Town Staff Recommendation:**

Town staff recommends the Planning & Zoning Commission approve the request.

**Town Council Public Hearing:**

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on February 28, 2023.