



Legislation Details (With Text)

File #: 18-2759 **Version:** 1 **Name:** Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Senior Living Uses on Property Known as Lots 6 - 9, Block 1, Matlock Center Addition and

Type: Ordinance **Status:** Failed

File created: 5/31/2018 **In control:** City Council

On agenda: 6/11/2018 **Final action:**

Title: Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Senior Living Uses on Property Known as Lots 6 - 9, Block 1, Matlock Center Addition and Approximately 4.15 Acres out of the Henry McGhee Survey, Abstract No. 998, Totaling 6.56 Acres Located at 1107-1110 Alexis Court, 1701 Country Club Drive, and 2273 Matlock Road; Felix Wong on behalf of Kingdom Work Foundation (ZC#18-015)

Sponsors: Joe Smolinski, Lisa Sudbury

Indexes:

Code sections:

Attachments: 1. Maps and Supporting Information, 2. Exhibit A - Property Description, 3. Exhibits B - D, 4. Letter from Living Church, 5. ZC#18-015 - ORDINANCE

Date	Ver.	Action By	Action	Result
6/11/2018	1	City Council	Approved on First Reading	Fail

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Senior Living Uses on Property Known as Lots 6 - 9, Block 1, Matlock Center Addition and Approximately 4.15 Acres out of the Henry McGhee Survey, Abstract No. 998, Totaling 6.56 Acres Located at 1107-1110 Alexis Court, 1701 Country Club Drive, and 2273 Matlock Road; Felix Wong on behalf of Kingdom Work Foundation (ZC#18-015)

To consider the subject zoning change request.

The Planning and Zoning Commission held a public hearing on May 21, 2018, and voted unanimously (5-0; Hudson and Klenzendorf were absent) to deny the case. The Commission expressed concerns about the density, the height, an insufficient buffer between single-family and multi-family, the number of small units, the amount of parking, the lowering of the masonry standards, the setbacks to carports and garages, masonry fence requirements, access from Alexis Court, and who will live in the project and what age. Three people from the neighborhood spoke in opposition due to density, height, and the potential for lowering of property values.

The applicant submitted revised plans that change the overall site layout and reduce the number of deviations from the base zoning district. The villa buildings (which included 17 units) have been removed from the plan. The overall footprint for the independent living building has been changed and the building is now setback at least 145' from the single-family residential properties to the north and west; the detached garages are setback 55-65' from the residential properties to the north and west. The minimum unit size has been increased to 750 sq. ft. and the overall unit count for the entire development has been reduced from 145 to 136 units. The parking ratio has been increased from 1.18 stalls per unit to 1.25 parking stalls per unit. The setbacks for the

garages and carports have been adjusted to address the requirements of the Fire Marshal. Furthermore, the exterior elevations have been modified to be 80% masonry and the proposed 6' wood fence adjacent to the single-family residential homes has been changed to an 8' pre-cast masonry screening wall. A note has also been added to the plan to more clearly indicate that a minimum age restriction of 62 years will be required for this development.

Applicant response to Commission concerns:

The applicant has submitted revised plans that address several of the concerns that were brought up at the public hearing before the Planning & Zoning Commission. The revised plans change the overall site layout and reduce the number of deviations from the base zoning district. The villa buildings (which included 17 units) have been removed from the plan. The overall footprint for the independent living building has been changed and the building is now setback at least 145' from the single-family residential properties to the north and west; the detached garages are setback 55-65' from the residential properties to the north and west. The minimum unit size has been increased to 750 sq. ft. and the overall unit count for the entire development has been reduced from 145 to 136 units. The parking ratio has been increased from 1.18 stalls per unit to 1.25 parking stalls per unit. The setbacks for the garages and carports have been adjusted to address the requirements of the Fire Marshal. Furthermore, the exterior elevations have been modified to be 80% masonry and the proposed 6' wood fence adjacent to the single-family residential homes has been changed to an 8' pre-cast masonry screening wall. A note has also been added to the plan to more clearly indicate that a minimum age restriction of 62 years will be required for this development.

The subject property consists of 6.56 acres of land located at the north end of Alexis Court and the west side of Matlock Road. It includes four platted lots located in the Matlock Center Addition and a 4.15 acre vacant tract of land with a narrow strip of land connecting the property to Matlock Road.

The applicant is requesting to re-zone the entire property from C-2 Community Business District to PD Planned Development District for senior living uses. The applicant plans to develop a three-story independent living center with 136 residential units, a net floor area (residential units only) of 112,317 sq. ft., and an overall height of 42', 9". The applicant also indicates a clubhouse of 6,576 sq. ft.; it is assumed this is located within the independent living center, but its location has not been clearly identified on the plan. The applicant indicates an overall gross density of 22.1 residential units per acre; this needs to be revised to 20.7 residential units per acre to reflect the adjusted overall unit count.

The independent living center will include a mix of 109 one-bedroom/one-bathroom units and 27 two-bedroom/two-bathroom units. The minimum unit size will be 750 sq. ft. and the average unit size will be 826 sq. ft.

In order to serve the development, the developer plans to provide three 8-stall detached garage buildings, one 8-stall handicap-accessible detached garage, seven 8-stall carports, for a subtotal of 88 covered parking stalls. The applicant is also providing 82 uncovered surface parking spaces. The grand total of provided parking stalls (uncovered and covered) will be 170 parking stalls, for a total parking ratio of 1.25 stalls per unit. This is a deviation from the requirement of 1.5 stalls per unit. However, the applicant has noted that the provided ratio has proven to be adequate in the similar Watercrest at Mansfield development (0.98 parking stalls per unit) and other age-restricted residential facilities.

Access to the development will be provided from two access points on Alexis Court and an access point on Matlock Road. The access point on Matlock Road will make use of the existing drive aisle through the parking lot of the adjacent Living Church and the church has provided a letter stating that they have seen the proposed plans, all their questions have been answered, and that they are in support of the development. Access into the development will be gated. One of the Alexis Court entrances will serve as the main public entrance. The gate at this entrance is setback some distance to provide for nine public parking stalls at the main entrance; this gate will also have a turnaround. The other entrance point on Alexis Court and the entrance on Matlock Road will be exit only (for residents) and for emergency entrance.

The applicant has provided elevations for all facades of the proposed buildings. The independent living center will include a mix of brick, stone, stucco, hardiplank, and hardi siding, with a total of 71.32% masonry. The proposed detached garages will include a mix of brick and stucco; the minimum masonry percentage has not been provided. The applicant has indicated the exterior masonry for the overall development will be a total of 80% masonry, but the provided elevations for the independent living center appear to actually be 70% (which meets the Zoning Ordinance requirement, using C-2 as the base zoning district), and the garages appear to deviate from the minimum requirement.

The applicant has indicated deviations from the Zoning Ordinance architectural requirements relating to wall plane projections and recesses every 50', roof plane variation every 50', and four to six architectural elements; the applicant notes that the proposed elevations will have articulation and design elements that are more appropriate for residential architectural design while not forcing the structures to adhere to non-residential design standards.

The proposed landscape plan provides for a mix of deciduous and evergreen trees in the buffer yards adjacent to the residential development, preservation of the existing canopy trees adjacent to the existing driveway through the church property, parking lot trees in the islands and peninsulas, shrubs around the foundation of the independent living center, and abundant landscaping at the main entrance on Alexis Court. In addition, an 8' precast masonry screen wall will be provided along the north and west property lines (adjacent to the single-family homes) and the existing 8' precast masonry screen wall adjacent to the driveway through the church property will be preserved. The portions of the property on the south and west property lines that are in the gated portion of the development will be screened by 6' wood and metal fences. The portion with the metal fence is adjacent to the church property and is intended to provide for a more open space environment. The applicant will be meeting or exceeding the minimum buffer yard requirements along all property lines.

The applicant will provide a monument sign at the main entrance to the development off Alexis Court; it will comply with the requirements for properties zoned MF-1/MF-2. The applicant will also provide a trash enclosure in the northern portion of the development. The trash enclosure will be fully screened in accordance with the Zoning Ordinance requirements and will also include shrubs along the north and east sides.

As amenities to the development, the applicant will provide a pool in the outdoor courtyard surrounded by the independent living building, as well as a bark park in the northwest corner of the development and walking trails on the north and west sides of the property.

While the development has several deviations, most of them are in order to provide for a senior living center that is more residential than commercial in character. The development will make productive use of the site and provide for a buffer between the single-family homes and the more intensive commercial uses located closer to Matlock and Country Club Roads.

The following staff comments will need to be addressed on the next resubmittal:

- On the Development Plan, adjust the overall residential density to 20.7 units per acre
- On the Development Plan, change the "Exterior Masonry Content: 80%" to "Minimum Masonry Content for Independent Living Center: 70%; Minimum Masonry Content for Garages: XX%".
- On the Development Plan, identify the footprint of the clubhouse; if the clubhouse is to be provided within the independent living center, include the overall sq. ft. of the entire independent living center building (including the residential units, the clubhouse, and all common and maintenance areas).
- In the Development Plan, in the Building/Structure Summary, change the total gross floor area of the independent living center from 53,057 sq. ft. to whatever the total gross floor area actually is.
- On the Development Plan, modify the fence labeling to more precisely indicate the sections that are screening walls vs. fences.
- On the Development Plan and Landscape Plan, if the Bark Park is to be fenced, fencing detail needs to be provided.

- In the table of Deviations, adjust the provided deviation relating to Section 4600.A.1 to “The proposed independent living center will have a minimum of 70% masonry construction; the garage buildings will have a minimum of XX% masonry construction.”
- On the Landscape Plan, adjust the labeling of the landscape buffer on the north and west property lines from 20' to 50' to match the table.
- Any outstanding items identified by the Engineering Department.

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