



Legislation Details (With Text)

File #: 19-3193 **Version:** 3 **Name:** Ordinance -Third and Final Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District and C-2 Community Business District to PD Planned Development District for Single-Family Residential, Multi-Family Residential, Senior Living,

Type: Ordinance **Status:** Passed

File created: 6/26/2019 **In control:** City Council

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Title: Ordinance -Third and Final Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District and C-2 Community Business District to PD Planned Development District for Single-Family Residential, Multi-Family Residential, Senior Living, and C-2 Community Business Uses on Approximately 76.734 Acres out of the S. S. Callender Survey, Abstract No. 359, Tarrant County, TX, Generally Located on the East Sides of FM 157 and House Road, the North Side of Mouser Way, and West of Towne Crossing and Cedar Point; Tim Coltart of Realty Capital Management, LLC on Behalf of Glenn Day, et al and Sowell Property Partners - Mansfield, LP (ZC#19-005)

Sponsors: Joe Smolinski, Lisa Sudbury

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A, 3. Maps and Supporting Information, 4. Exhibit B, 5. Letters of Support, 6. Letter to City Council on 8-12-19, 7. Comments Response 8-19-19, 8. Changes to PD 8-19-19

Date	Ver.	Action By	Action	Result
8/26/2019	3	City Council	Approved on Third And Final Reading	Pass
8/12/2019	2	City Council	Approved on Second Reading	Pass
7/22/2019	2	City Council	Postponed	Pass
7/8/2019	1	City Council	Approved on First Reading	Pass

Ordinance -Third and Final Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District and C-2 Community Business District to PD Planned Development District for Single-Family Residential, Multi-Family Residential, Senior Living, and C-2 Community Business Uses on Approximately 76.734 Acres out of the S. S. Callender Survey, Abstract No. 359, Tarrant County, TX, Generally Located on the East Sides of FM 157 and House Road, the North Side of Mouser Way, and West of Towne Crossing and Cedar Point; Tim Coltart of Realty Capital Management, LLC on Behalf of Glenn Day, et al and Sowell Property Partners - Mansfield, LP (ZC#19-005)

To consider the subject zoning change request.

The Planning & Zoning Commission held a public hearing on June 17, 2019, and voted 3-3 (Chairman Wilshire, Papp, and Weydeck voting no; Knight absent) to recommend approval resulting in a denial. The recommendation to approve was conditioned on the applicant limiting C-2 uses to Zones 1, 2, and 4, adjusting the minimum predominant roof pitch to 8:12, and adjusting the minimum masonry percentage for front-facing elevations to 80%.

Several of the commissioners complemented the quality of the proposed development as well as the quality of the developer’s Main Street Lofts development and liked the mix of residential products that were offered.

Several of the commissioners also desired more commercial development in the project and noted the lack of retail on the west side of town, particularly as it relates to grocery stores. Almost all of the commissioners expressed concern about the minimum masonry percentages and roof pitch and wanted the minimum standards to more closely resemble the Zoning Ordinance. The applicant responded that they wanted to provide for more flexibility for different materials and styles and to reduce monotony in the development, but agreed to make adjustments to their plans. Some of the commissioners were also concerned about higher density and smaller lot widths than what is typically allowed in the single-family portion of the development, and one of the commissioners requested that the minimum lot areas more closely align with the minimum lot widths and depths. There were also some concerns about provided parking requirements, but the applicant stated that they have extensively researched parking requirements for the different uses and feel they have adequately provided for parking needs and stated that they would not underpark the development as it would be bad for business. Some of the commissioners also requested that some of the renderings be improved to provide for proper scaling and to ensure that they are reflective of the materials percentages proposed in the written standards. One of the commissioners also wanted the project to more closely resemble the Lakeside development in Flower Mound and wanted more information on the planned improvements and amenities in the open space area, which the applicant stated they were still working with the Parks Department on. One of the commissioners also questioned the walkability of the project, stating that there was nothing to walk to given the limited commercial component. Finally, there was some concern about the lack of on-site detention and how this would affect drainage.

The applicant responded to several of the Commissioners' concerns and made revisions to their plans to reflect some of the concerns, including adjusting the minimum lot areas and side yard setbacks, adjusting the minimum masonry percentages, increasing the minimum roof pitch to 8:12 for the predominant roof, and providing additional renderings or modifying them.

First Reading

The subject property consists of 76.734 acres on the east sides of FM 157 and House Road, the north side of Mouser Way, and west of the Towne Crossing and Cedar Point apartment complexes. The property is currently vacant land. The applicant is requesting to re-zone the property from C-2 Community Business District and PR Pre-Development District to PD Planned Development District for a mixed-use development including single-family residential, multi-family residential, senior living, and C-2 community business uses.

Planned Development Standards

The applicant intends to develop a high quality mixed-use development called Watson Branch, which is designed to further enhance the FM 157 corridor just north of Mouser Electronics, the Main Street Lofts, and downtown, and near the location of a future signalized intersection with the Main Street-FM 157 connector. While the developer plans to provide a small commercial area (and intends to include two restaurants), the development is intended to provide primarily for high-quality urban-style multi-family residences (with the Main Street Lofts serving as the minimum standard for architectural design and quality) and an array of unique single-family home products. The multi-family component will include both market and senior living units. In addition, the development will include an open space corridor slated to include a regional trail. The applicant anticipates a maximum density of 14 dwelling units per acre.

Zones:

The planned development standards call for the property to be broken into four different zones. Zones 1 and 2, comprising 29.5 acres, are located in the northwestern portion of the property and have frontage along FM 157. Zone 1 is intended primarily for multi-family residential uses and the commercial component of the development. Zone 2 is intended primarily for the senior living component of the development. Zone 3, comprising 45.6 acres, is situated in the central portion of the property and is intended primarily for single-family residential uses. Lastly, Zone 4, comprising the easternmost 3.5 acres of the property, is separated from the balance of the property by floodplain and land uses are unspecified, but could include single-family residential, commercial, or civic uses.

Permitted Uses:

While the zones outline the intended separation of land uses on the property, the permitted use table allows for flexibility of land uses throughout the property. Single-family dwellings, zero-lot-line dwellings, two-family dwellings, townhouses, and C-2 uses could be built in any of the four zones. Multi-family dwellings are restricted to Zone 1, while senior housing units (including for-rent cottages) are allowed only in Zones 1 & 2.

Minimum Commercial Requirements:

The planned development standards specify a minimum of 7,500 sq. ft. of commercially-occupied space (and the developer intends for at least two restaurants in their cover letter) and a minimum of 400 linear feet of frontage built to commercial storefront standards. The developer intends for the commercial component of the development to be minimal though, due to the proximity to downtown and the commercial uses along the US 287 corridor. In addition, the applicant has specified that all C-2 uses requiring a Specific Use Permit (SUP) shall still require an SUP under this Ordinance.

Maximum Number of Residential Units:

The maximum number of single-family, zero-lot-line, two-family, and townhome dwellings is 300 lots. Furthermore, of these 300 lots, a maximum of 15% may be attached dwellings. The maximum number of multi-family and senior housing units is 800 dwelling units.

Minimum Lot Standards:

The minimum lot standards for commercial, mixed-use, and multi-family lots (located in Zones 1 & 2) are outlined below:

Min. Lot Width: 100'

Min. Lot Depth: 120'

Min. Lot Area: 12,000 sq. ft.

Min. Floor Area per Dwelling Unit: 550 sq. ft. (efficiency); 650 sq. ft. (1-bedroom); 900 sq. ft. (2-bedroom); 1,000 sq. ft. (3-bedroom)

Min. Front Yard: 5'

Min. Rear Yard: 0'

Min. Interior Side Yard (adjacent to lot): 0' in Zone 1; 10' in Zone 2

Min. Exterior Side Yard (adjacent to public street): 5'

Max. Height: 4 stories

The minimum lot standards for single-family (SF), zero-lot line (ZL), and townhome (TH) lots (located in Zones 2, 3, and 4) are outlined below:

Min. Lot Width: 45' (SF); 30' (ZL); 22' (TH)

Min. Lot Depth: 90'

Min. Lot Area: 4,050 sq. ft. (SF); 2,700 sq. ft. (ZL); 1,980 sq. ft. (TH)

Min. Floor Area per Dwelling Unit: 1,800 sq. ft.

Garage Access: street (SF); alley (ZL & TH)

Min. Front Yard: 10'

Min. Front Yard to Garage Doors: 20' (SF); N/A (ZL & TH)

Min. Rear Yard: 15'

Min. Rear Yard to Garage Doors: N/A (SF); 3' (ZL & TH)

Min. Interior Side Yard (adjacent to lot): 5' (SF); 0'/5' (ZL); 0' (TH)

Min. Exterior Side Yard (adjacent to public street): 10'

Max. Height: 3 stories

Conceptual Elevations and Streetscape Standards:

The applicant has provided conceptual elevations for the multi-family, commercial, and single-family components of the development. The elevations for the multi-family and commercial components are intended to identify the potential architectural materials only. In addition, the applicant has provided standards and renderings for the different streetscape sections.

Access:

Access into the development will be primarily from FM 157 and Mouser Way. From FM 157, there will be a minimum of one and a maximum of three access points, although staff notes this will be subject to TXDOT approval. From Mouser Way, there will also be a minimum of one and a maximum of three access points. The development will also be permitted to access House Road. It is intended that there will be a primary spine road through the development that will connect the various components of the development. This spine road will connect to the future FM 157-North Main Street connector at a signalized intersection at FM 157 and will travel eastward through the commercial and multi-family components and then turn southward through the single-family component down to Mouser Way. Street types and their specifications (including width, parking, street trees, parkways, sidewalks, and right-of-way dedications) are detailed in Table 4.1.

Open Space:

The development will include a corridor of open space along the northeastern property line adjacent to Watson Branch. This corridor includes floodplain and the bulk of the existing trees in this area are planned to be preserved. The open space area along this corridor will be a minimum of six acres and a minimum corridor width of 25'. The applicant also plans to work with the Parks Department to develop a public trail along this corridor.

In addition, the applicant intends to provide 20' open space buffers along FM 157 and Mouser Way and a small open space area (min. 1,500 sq. ft.) near the multi-family and commercial components. On-site detention will not be provided, however water quality measures will be required. The applicant has also specified the standards for street trees on page 31. Trees shall not be required on single-family lots.

Parking:

The applicant has specified the following minimum parking standards:

General Office & Retail "Blended Rate": 1 space per 250 sq. ft.

General Office only: 1 space per 333 sq. ft.

Restaurant: 1 space per 100 sq. ft.

Multi-Family Residential: 1.5 spaces per unit

Age-Restricted Housing: 1.2 spaces per unit

Single-Family Residential: 2 off-street parking spaces

The applicant has also specified that on-street parking may be counted toward required parking and that the parking requirements may be reduced upon submittal of a revised parking calculation by the applicant and approval by the City. In addition, covered parking may be either masonry or metal (for carports) and shall comply with the regulations governing building materials; in addition, carports shall provide a minimum of 3' clearance from fire lanes. Trees shall be planted in parking lots such that each parking space is located within 60' of a tree. Parking space standards are detailed in Table 6.2.

Architectural Requirements:

The applicant has specified the following architectural materials standards. (Note: The overlay area refers to the frontage zone for buildings along FM 157 where the commercial component is planned)

Front Façade Materials:

Min. Masonry: 80% for zones 1-4; 90% for overlay area

Max. Stucco: 20% for zones 1-4; 10% for overlay area

Max. Hardi-Board (excluding recessed balconies): 20% for zones 1-4; 10% for overlay area

Max. Metal: 10% for all zones

Rear Façade Materials:

Min. Masonry: 25% for zones 1 & 2

Max. Stucco: 75% in zones 1 & 2

Max. Hardi-Board: 50% in zones 1 & 2

Max. Metal: 10% for all zones

In zones 3 & 4, while the applicant has not specified minimum or maximum materials percentages for the rear façade, they have specified that the exterior materials shall meet the minimum 80% masonry standard for all facades in the aggregate.

Ground Floor Building Standards:

Min. Glass Area: 60% in overlay area; 25% in zones 1 & 2

Min. Ceiling Height: 10' in overlay area; 8' in zones 1 & 2

The applicant has specified that wood, exposed CMU, and exposed aggregate are prohibited materials in all zones of the development. In addition, they have defined masonry materials to include brick, stone, cultured stone and cast stone, but to exclude CMU and exposed concrete. Furthermore, the applicant has specified that façade materials shall transition to a minimum of 20' around a building corner to internal area of a block.

The applicant has specified detailed architectural standards for single-family buildings located in zones 2, 3, and 4. These include encouraging the use of single-story roofs and porches on front elevations, façade articulation, roof breaks, walls with textured materials and ornamental details, decorative moldings, windows, dormers, chimneys, balconies and railings, and landscaping elements, and carrying façade treatment and design elements throughout all facades of the home and any accessory structures. The standards discourage large areas of blank wall without architectural treatment, as well as two-story entry features. Garage doors accessible from the street shall be constructed of decorative wood cladding ("Carriage Door" style) or simulated wood cladding, however alley garages may use painted aluminum garage doors.

Required features for single-family homes include a minimum predominant roof pitch of 8:12 (except for porches), architectural grade asphalt shingles or better, wood or stained fiberglass simulated wood grain front doors, concealed mechanical equipment and trash storage, coursed brick, soldier courses, proportional and design-appropriate shutters, enhanced gutter design, downspouts located at corners and columns, masonry or masonry-like chimneys, chimneys extending to the ground if on street-facing elevations, columns visible from the street at least 6" x 6", and wood fences (not greater than 6' in height) along alleys constructed with the support structure facing the house. Each home must also include at least four optional features from a list of 20 items.

Signage:

The applicant will adhere to all sign regulations established in Section 7100 of the Zoning Ordinance with the exception of the following:

- Each business with FM 157 frontage will be permitted one wall sign not to exceed 30' in length or 4' in height
- A monument sign or sign affixed to an entry wall, not to exceed 50 sq. ft. in sign area per side, shall be permitted at each entry on FM 157 and Mouser Way
- A projection sign, not to exceed 50 sq. ft. in sign area per side, shall be permitted on each building fronting FM 157
- A blade sign, not to exceed 20 sq. ft. in sign area per side, shall be permitted for each business tenant.

Recommendation

This proposal will provide for a quality, cohesive development with a mix of residential products that maximizes the use of one of the largest remaining infill tracts in this part of the City. While staff would have liked to see a little bit more space for commercial uses incorporated along FM 157, the development will nonetheless provide for additional high quality urban-design apartments, senior housing, and unique single-family residential products that provide a denser, more walkable design and a mix of product types (including 45' lots, zero-lot line homes, and townhomes) that are currently few and far between in the community. In addition, the applicant is endeavoring to provide high-quality architectural design, a mixture of streetscapes, abundant

access and connectivity through the development, and an open space corridor and a future public trail that will enhance the development and the community. Furthermore, the Official Land Use Plan encourages higher densities in this area combined with the preservation of high quality open space, both of which the applicant is providing. Staff recommends that any action be conditioned on C-2 uses being limited to Zones 1, 2, and 4.

Second Reading

City Council held a public hearing and first reading on July 8, 2019 and voted 4-3 (Broseh, Leyman, and Mayor Cook voting no) to approve. In addition, the applicant provided four letters of support, two people spoke in support (including one who presented a list of downtown business owners in support), and there were six non-speakers in support. City Council had several concerns about the development and requests of the applicant, including a desire for more commercial space along FM 157, committing to providing at least one restaurant, providing more information on the types of restaurants allowed (i.e. sit down, fast food/quick serve, etc.), committing to the development standards by making more things “required” instead of leaving things open-ended and “encouraged” or “intended” (particularly with architectural requirements), having Council approve the site plans in addition to P&Z or instead of P&Z, providing trees on residential lots in addition to street trees, providing more information on the senior for-rent cottages (i.e. layout, quantity, etc.), providing the maximum allowable density for the single-family portion alone, reducing the number of 3-bedroom units, providing more masonry on rear facades facing Mouser Way, correcting or improving renderings to better match the written development standards and providing additional renderings (such as those included in the applicant’s presentation), providing for options for owner-occupied multi-family and senior living units, providing stipulations that require the single-family portion to be developed with the multi-family portion or by a set timeframe to ensure the single-family portion doesn’t go undeveloped, and providing more details regarding the trail and its design, construction, and alignment, and any other planned recreational improvements and amenities. In addition, some councilmembers questioned the applicant’s methodology of gathering real estate data as it related to the feasibility of commercial development and some councilmembers weren’t supportive of additional multi-family residential development in general. The applicant has submitted a letter requesting to table second reading until August 12, 2019 in order to give the applicant more time to make changes to their plans to address the concerns and requests of City Council.

Second Reading Continuation

City Council held a public hearing and second reading on July 22, 2019 and voted 6-1 (Moore voting no) to table consideration until August 12, 2019 at the request of the applicant.

At the first reading, councilmembers made the following comments or requests:

- A desire for more commercial space along FM 157
- Commit to provide at least one restaurant
- Provide more information on the types of restaurants allowed (i.e. sit down, fast food/quick serve, etc.)
- Commit to the development standards by making more things “required” instead of leaving things open-ended and “encouraged” or “intended” (particularly with architectural requirements)
- Have City Council approve the site plans in addition to P&Z or instead of P&Z
- Provide trees on residential lots in addition to street trees
- Provide more information on the senior for-rent cottages (i.e. layout, quantity, etc.)
- Provide the maximum allowable density for the single-family portion
- Reduce the number of 3-bedroom units
- Provide more masonry on rear facades facing Mouser Way

- Correct or improve renderings to better match the written development standards and provide additional renderings (such as those included in the applicant's presentation)
- Provide options for owner-occupied multi-family and senior living units
- Provide stipulations that require the single-family portion to be developed with the multi-family portion or by a set timeframe to ensure the single-family portion doesn't go undeveloped
- Provide more details regarding the trail and its design, construction, and alignment, and any other planned recreational improvements and amenities.

In addition, some councilmembers questioned the applicant's methodology of gathering real estate data as it related to the feasibility of commercial development at this location and some councilmembers weren't supportive of additional multi-family residential development in general.

While changes have been made to the Development Standards that address a few of councilmembers' comments, several comments were not addressed, and additional changes were also made, some of which staff has concerns about:

- While it was clarified that the minimum commercial area excludes the residential leasing areas and that drive-thru restaurants would require specific use permits, the minimum required amount of commercial space was not increased, it was not required that at least one restaurant be provided, and additional information was not provided regarding the types of restaurants allowed.
- The concept plan base map was updated to remove the senior cottage footprints in favor of a few larger buildings. In addition, an inset showing greater detail for Zones 1 & 2 has been provided. However, senior cottages are still mentioned in the written development standards despite their location not being identified on the plan. Unlike the development standards presented at first reading, senior apartments and cottages have been separated out from the general standards for the multi-family products and there are no standards for senior cottages or senior apartments as it relates to number of units, minimum floor area per unit type, etc.
- The concept plan base map was also updated to remove one of the two access points on Mouser Way; staff recommends that both access points be retained.
- A maximum acreage of 30 acres has been established for zones 1 & 2 combined, and a minimum acreage of 48 acres has been established for zones 3 & 4 combined. The maximum allowable density for zones 3 & 4 has not been provided.
- The maximum number of 3-bedroom apartments has been limited to 30.
- The single-family lot standards have been modified to allow front porches and stoops to encroach into the 10' minimum front yard, and the lot configuration exhibit has been updated. Staff does not believe that the proposed J-swing and combination front entry/J-swing configurations can be provided as shown based on standard engineering requirements for vehicle maneuvering. In addition, staff does not support allowing front porches and stoops to encroach all the way to the front property line and would recommend that porches and stoops not encroach more than five feet into the front yard.
- A new exhibit has been provided showing the proposed single-family residential streetscape in comparison with a street in the Berryhill Addition. Staff does not believe this is a good neighborhood to compare this development to; it was stated in the applicant's response letter that this was "downtown", when in it is not. The applicant still proposes street trees in the right-of-way (area between the curb and the sidewalk), but no trees on the residential lots. Staff recommends that street trees not be located in the right-of-way; trees should be located in the required front yard.
- On the street plan, references to Street 4 have been removed and a fire lane plan for Zones 1 & 2 has

been provided. The Fire Marshal notes that the northernmost building will require a fire lane. In addition, there were concerns about lack of detail regarding potential townhome configurations. Staff recommends that all portions of the development meet the requirements of the International Fire Code.

- In the open space section, a new requirement for a masonry wall along Mouser Way has been added. However, no details have been provided regarding the proposed linear trail's design, construction, and alignment, nor any other planned recreational improvements.
- In the architectural standards, a new requirement for interior corridors in the multi-family buildings has been added, a new requirement for awnings in the commercial area has been added, and the word "encouraged" has been deleted from the single-family residential architectural standards. However, no requirements have been added for rear building facades facing Mouser Way.
- The base street plan, open space plan, and sign plan maps have all been updated to reflect changes to the overall concept plan
- It is still written into the standards that site plans shall be approved by P&Z instead of Council. Furthermore, no stipulations have been provided to require the single-family portion to be built by a specified time and no options have been provided for owner-occupied multi-family and senior living units.

While staff is very supportive of the proposed development and intended use of the property, we have the following concerns:

- It does not appear that all of Council's comments were adequately addressed;
- Some details of proposed development standards are too open-ended or are written in such a way that could potentially allow conflicts between the proposed development standards and the City's development regulations.

The applicant attempted to make additional changes to address some of staff's concerns and some of the unaddressed City Council comments, but it was after the deadline to turn in items for the City Council agenda packet.

Staff recommends that if Council approves this development at second reading, any conditions that Council deems necessary in light of staff's preceding analysis be included in their motion.

3rd Reading:

City Council held a public hearing and second reading on August 12, 2019 and voted 4-3 (Broseh, Leyman, and Moore voting no) to approve with the condition that the number of three-bedroom units in Zone 1 be limited to no more than 5% of the total number of units allowed in this zone. At the meeting, the applicant explained the changes they had made since first reading, as well as the additional Council and staff comments that the applicant had not addressed in time before the agenda packet deadline for 2nd Reading, but which they had already addressed by the time of the meeting or had planned to address. In addition, councilmembers also made the following comments or requests of the applicant:

- Provide timelines for different phases of development to ensure all components of the development get built by a certain time
- Provide more detailed breakdown for lot composition in the single-family portion (# of 45' lots, # of 55' lots, # of 65' lots, etc., as well as the different dimensional standards, min. unit sizes for each, which lots will have J-swings and how many, etc.). Would like to see an increase in the number of larger lots.
- Provide details regarding the exact amenities that will be provided for the senior living component of the development (I think it would be good to provide this for the multi-family portion as well)

- Make a better distinction between zones on the site plan and in the written standards. Single-family should not be allowed in zone 1/2 since those zones have different standards. There should not be overlap. All multi-family should go in zone 1, all senior living in zone 2, all single-family/zero-lot-line/townhomes should go in zone 3, etc.
- Provide more details on how age restriction will be enforced and how special circumstances will be handled in the senior living portion of the development
- Consider removing option for drive-thru restaurants entirely based on the proposed footprints being provided.
- Desire for more restaurants (up to 4 or 5) in exchange for support for multi-family development
- Remove two-family dwelling units from document if they are not going to be provided
- Concern about vast discrepancies between maximum number of units allowed in each part of the development vs. what is actually planned to be built
- How will alley configurations work for the townhome/zero lot line product? Will vehicles be able to park in the driveway?
- In the J-swing configuration, where will the front door go?
- Sweeping, curving sidewalks with large open spaces in the fronts of residences are shown on page 13. Provide better renderings that are more reflective of the concept plan, which shows a more dense development pattern and open space confined to the creek corridor.
- If three-story homes are not going to be provided, consider adjusting this standard to only provide for two-story homes.
- Provide more information on which areas and which products will have yards be maintained by the HOA
- How will on-street parking be adequately handled given the dense arrangement, particularly as it relates to guest parking
- In the architectural standards, certain items are stated to be "discouraged"; better define the architectural standards and consider outright prohibiting certain items
- Consider not excluding recessed balconies in the standards for hardi board siding
- Consider requiring carriage style garage doors on alleys
- Provide more details on the proposed townhome and zero-lot-line product configurations; number of units, etc.
- Provide options for owner-occupied housing in the senior living and multi-family components.

In addition, staff offered the following comments or recommendations:

- Staff still has concerns about street trees with the proposed configuration. In the presentation examples, the parkways appeared to be 10' wide, which can better accommodate street trees. The parkways in this development will only be 5' wide. Show how mature street trees will look in only 5' wide parkways and if it is insisted that street trees be planted in the parkway instead of the front yards, consider providing wider parkways to better accommodate them.
- All portions of the development need to meet the requirements of the International Fire Code. Provide

fire lane for the northernmost multi-family building. Provide details on the proposed configurations for townhomes and zero-lot-line product to ensure access around all portions of the structure that meets the Fire Code requirements.

- Provide at least two points of access on Mouser Way.
- Improve the J-swing configurations to meet Engineering requirements for vehicle maneuverability.
- Front porches shall only be allowed to encroach up to 5' into the required 10' front yard

The applicant has addressed the Council condition of approval and addressed or responded to all of the above Council and staff comments in one form or another and has provided a response letter explaining how they have addressed each comment and has made revisions to the Planned Development standards accordingly. In addition, the applicant has also added a note requiring that all homes adjacent to Mouser Way shall have a minimum of 90% masonry on the facades facing Mouser Way.

It should be noted that the following requested changes were not made:

- . A phasing timeline has not been provided to ensure all components of the development get built by a certain time, but the applicant has added a provision requiring them to purchase the entire property.
- . Recessed balconies are still excluded from the maximum 20% hardi-board requirement. However, a note has been added that the color of the hardi-board must be compatible and a figure has been provided, explaining the reason for using the material in recessed balconies.
- . Provisions were not made to allow for owner-occupied housing in the senior living and multi-family portions of the development
- . Two points of access have not been provided on Mouser Way

Staff recommends that any Council action be conditioned on the following items being addressed:

- The right-of-way for Street 4 should be 50'
- Provide a 25' minimum radius for Street 3
- Provide a 20' minimum radius for Street 4
- Revise Section 3.1.F.1.G.IV to read "Eating places with drive-thru service must apply for an SUP. The SUP must specify that the drive-thru window shall be located only on the south or east wall of the commercial building.

Lisa Sudbury, AICP
Interim Director of Planning
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