



Legislation Details (With Text)

File #: 18-2680 **Version:** 3 **Name:** Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Change of Zoning from PD, Planned Development District to PD, Planned Development District for Retail and Commercial Uses for Property Known as Lot 1, Galloway Addition

Type: Ordinance **Status:** Passed

File created: 3/28/2018 **In control:** City Council

On agenda: 5/14/2018 **Final action:** 5/14/2018

Title: Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from PD, Planned Development District to PD, Planned Development District for Retail and Commercial Uses for Property Known as Lot 1, Galloway Addition and Approximately 30.7586 Acres Out of the H. Odele Survey, Abstract #1196 and John Robertson Survey, Abstract #1317, Tarrant County, TX, Totaling Approximately 33.7616 Acres Generally Located at the Southeast Corner of US 287 and E. Broad Street and the West Side of N. Mitchell Road; Randall P. Pogue of Westwood on behalf of Broad Street US 287 and HEB Grocery Co. (ZC#18-008)

Sponsors: Joe Smolinski, Lisa Sudbury

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Maps and Supporting Information, 3. Previously Approved PD (ZC#16-006), 4. Exhibit A, 5. Exhibits B - E

Date	Ver.	Action By	Action	Result
5/14/2018	3	City Council	Approved on Third And Final Reading	Pass
4/23/2018	2	City Council	Approved on Second Reading	Pass
4/9/2018	1	City Council	Approved on First Reading	Pass

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from PD, Planned Development District to PD, Planned Development District for Retail and Commercial Uses for Property Known as Lot 1, Galloway Addition and Approximately 30.7586 Acres Out of the H. Odele Survey, Abstract #1196 and John Robertson Survey, Abstract #1317, Tarrant County, TX, Totaling Approximately 33.7616 Acres Generally Located at the Southeast Corner of US 287 and E. Broad Street and the West Side of N. Mitchell Road; Randall P. Pogue of Westwood on behalf of Broad Street US 287 and HEB Grocery Co. (ZC#18-008)

To consider the subject zoning change request

The Planning and Zoning Commission held a public hearing on March 19, 2018, and voted 7-0 to recommend approval with the condition that the applicant address the outstanding items noted in the staff report presented to the Planning & Zoning Commission.

First Reading

The subject property consists of 33.7616 acres located at the southeast corner of U.S. 287 and E. Broad St. along the west side of Mitchell Rd. The property is currently vacant land with a vacant commercial building, parking lot, and vacant residential structure in the northeast portion of the

property.

The applicant is requesting to re-zone the property from PD to PD for retail and commercial uses. The property was previously approved for a PD for an H-E-B-grocery anchored retail center in 2016. This PD will replace the previously-approved PD and still includes an H-E-B grocery store, however the overall site plan has been re-oriented as it relates to building footprint locations, elevations, the location of the gas station, signage, and other elements.

In the Development Plan, the applicant proposes to divide the property into six (6) lots. Lot 1 and Lot 2 comprise the northern portion of the development, while Lots 3, 4, 5, and 6 are located in the southern portion of the development. Lot 1 is 14.85 acres and includes a 106,928 sq. ft. H-E-B grocery store, 6,463 sq. ft. gas station, and 614 sq. ft. car wash. The grocery store will include a restaurant drive-thru and curbside pickup on the north side of the building and a pharmacy drive-thru on the south side of the building. The main entrances and an outdoor display area will be on the west side of the building (at the front of the store) and loading/deliveries/trash will be handled on the east side (rear) of the building. The gas station and car wash are located in the northeast corner of the development and are oriented to face East Broad Street. Lot 2, located at the extreme northwest corner of U.S. 287 and East Broad Street, is 1.44 acres and will include a 9,920 sq. ft. multi-tenant retail/restaurant building. Lot 3 is 0.95 acres and Lot 4 is 0.98 acres; each lot is proposed for a 3,600 sq. ft. eating place with drive-thru. Lot 5 is 1.52 acres and is proposed for an 8,100 sq. ft. sit-down restaurant. Lots 3-5 are located in the southwest corner of the development, oriented to face U.S. 287. Lot 6 is 13.35 acres and is located in the southeast portion of the development. No building footprints are included for Lot 6, but the site is proposed for retail, restaurant, office, or hotel uses, with a maximum building area of 200,000 sq. ft.

The overall development will be accessed by three access points on U.S. 287, one access point on East Broad Street, and four access points on Mitchell Road. The intersection of East Broad Street and Mitchell Road will include a new traffic signal and the applicant indicates that roadway improvements will be made to Mitchell to support the development. The applicant has indicated the location of all parking stalls in the development and has provided a table indicating that all parking requirements for the primary uses on each lot will be met. However, additional parking may be required for Lot 6 depending on the mix of uses; while the parking for this lot was calculated based on retail use, additional uses that have different requirements may be allowed (such as restaurant, office, and hotel).

The applicant has provided a list of deviations from the Zoning Ordinance, which include requirements relating to architectural materials, building articulation, landscaping, screening, signage, outside storage, and driveway alignment and spacing.

The applicant has provided elevations for the grocery store, gas station, and car wash, as well as the retail/restaurant building on Lot 2. The overall height of the grocery store will primarily be 34' with entry towers that are 40', 8". The Development Plan indicates that the parapet walls will be raised to fully screen rooftop mechanical equipment. The grocery store elevations will primarily feature integrally-colored CMU (concrete masonry units). The west (front) elevation will be accented by entry towers with cultured stone, dark gray CMU with deep rake reveals, and red Nichiha fiber cement board. The northwest corner of the building, where the restaurant portion will be located, will be accented by pre-finished corrugated metal panels. The north elevation of the building will be accented by blue-painted CMU (to highlight the curbside pickup area) and dark gray CMU with deep rake reveals (to highlight the drive-thru element of the attached restaurant). The north elevation of the building will also include canopies over the 10 curbside pickup spaces, with masonry canopy

pilasters. The south elevation will be accented by masonry pilasters and a partial continuation of the dark gray CMU with deep rake reveals towards the front of the building. The east (rear) elevation will include a truck dock screen wall to match the building. The gas station and car wash buildings will also predominantly feature integrally-colored CMU to match the grocery store building. The top portions will include architectural metal fascia panels with reveals as well as parapet screening. The gas station canopy will include masonry pilasters where the fuel pumps are located. A red stripe will go around the perimeter of the gas station canopy.

The elevations for the retail/restaurant building on Lot 2 will predominantly feature stucco and two varieties of manufactured stone, accented by metal cornices and canopies. The overall height of the building will range from 23' to 25', 10".

The applicant is requesting that Lots 2-6 require detailed site plan approval by staff to ensure compliance with the Zoning Ordinance and the requirements of the PD using the provided elevations as a guide for materials, pilasters, raised parapets, and other architectural enhancements and building articulation.

The provided Landscape Plan shows 20' landscape buffers along U.S. 287 and Mitchell Road, a 10' landscape buffer along the south property line, and a 10'-20' landscape setback along Broad Street. Along Broad and Mitchell, there will be a single row of canopy trees with 40' spacing. Along U.S. 287, there will be a single row of canopy trees with 35' spacing with clustered ornamentals between canopy trees. Along the south property line, there will be a 3' height shrub screen. The parking lot islands will also include trees, however, the applicant is requesting that no trees be planted within 100' of grocery store doors; instead, groundcover and shrubs will be planted in these locations. Foundation landscaping around the grocery store will not be planted, however landscape planters are to be provided in front of the building. This deviation was approved by the previous PD.

The Screen Wall Plan includes a masonry screen wall ranging in height from 8'-12' along the rear of the grocery store building (along Mitchell Road). The screen wall will be accented by an 8' ornamental fence broken into three sections. The landscaping along Mitchell Road will be planted in front of the screening devices. The rear of the grocery store building will be mostly screened, except for a small section towards the north end of the building where a driveway will be located.

The Master Sign Plan includes four unified development signs: two along U.S. 287, one along East Broad Street, and one along Mitchell Road. The unified development signs along U.S. 287 will be 22'4" in height and 18' in width; one will be intended primarily for the H-E-B grocery store and attached tenants and will include a sign area of 198 sq. ft. and the other will be intended primarily for the future tenants of Lot 6 and will include a sign area of 159 sq. ft. The unified development sign along E. Broad St. will be 22'4" in height and 12'2" in width and will include a sign area of 124 sq. ft.; this sign is intended for H-E-B and the gas station and car wash and will include digital gas station price information. The unified development sign along Mitchell Road will be 11' in height and 9'4" in width and is intended primarily for the H-E-B grocery store and attached tenants and will include a sign area of 44 sq. ft. The unified development signage will include manufactured stone and stucco to match the grocery store building.

The Sign Plan also includes four monument signs for Lots 2, 3, 4, and 5. These signs will be 5'6" in height and 8' in width and will include a sign area of 28 sq. ft. The Sign Plan does not include dimensions or specifications for any of the wall signs, however the Development Plan indicates that all wall signage shall comply with the regulations for C-2 zoned properties as outlined in the Zoning

Ordinance.

While the applicant addressed most of the outstanding staff review comments that the Planning & Zoning Commission conditioned their recommendation on, several items still need to be addressed, including:

- The applicant is requesting three drive-thru restaurants, in addition to the pharmacy drive-thru and restaurant drive-thru attached to the grocery store building, but only two drive-thru restaurants are shown on the Development Plan (Lots 3 and 4); the third requested potential drive-thru restaurant location needs to be identified on the Plan
- The minimum landscape setback along the north property line (along Broad Street) needs to be labeled on the Development Plan and should match the Landscape Plan
- The elevation exhibits provided for the buildings on Lot 1 need to be properly labeled as Exhibit C, Page _ of _, ZC#18-008; the elevations need to be properly labeled (i.e. Grocery Store, West Elevation, etc.); tables indicating the percentage breakdown of building materials need to be provided
- The lot exhibit in the Master Sign Plan needs to be corrected so that the entire parking lot area in front of Lot 6 is identified as part of Lot 6 to match the Development Plan
- Minor changes relating to spelling and phrasing

In addition, the Engineering Department staff has indicated that several TXDOT-related review comments have not yet been addressed by the applicant which could significantly impact the Development Plan. The Engineering Department will also require minor changes to the Overall Utility Exhibit that was submitted, however these changes are not expected to require modifications to the Development Plan.

The overall development will be of significant benefit to the City of Mansfield, providing a large destination grocery store, gas station, car wash, several dining establishments, and additional future commercial development. It will complement the Shops at Broad development to the north and provide additional retail opportunities for the community.

Second Reading

The City Council held a public hearing and first reading on April 9, 2018 and voted 7-0 to approve with the condition that the applicant addresses the items noted in the staff report. Staff notes that while the minor utility-related comments were addressed, the requested changes were made to the Master Sign Plan, and some of the labeling was made on the elevations, the applicant has still not addressed the following items:

- The applicant is requesting three drive-thru restaurants, in addition to the pharmacy drive-thru and restaurant drive-thru attached to the grocery store building, but only two drive-thru restaurants are shown on the Development Plan (Lots 3 and 4); the third requested potential drive-thru restaurant location needs to be identified on the Plan
- Note 3 needs to be revised to correct a typo and remove the part about wall signage “variances” in the Master Sign Plan since wall signage is not included in the Master Sign Plan. The note needs to be corrected to read “All wall signage will comply with the regulations for C-2 zoned properties as outlined in the Zoning Ordinance. All monument signage and unified development signage will comply with the Master Sign Plan.
- The minimum landscape setback along the north property line (along Broad Street) needs to

be labeled on the Development Plan and should match the dimension indicated on the Landscape Plan (20')

- The elevation exhibits provided for the buildings on Lot 1 need to be properly labeled as part of Exhibit C; the pages need to be re-numbered so that the building elevations for both Lot 1 and Lot 2 are grouped together in terms of overall number of pages for Exhibit C (eight pages); tables indicating the percentage breakdown of building materials need to be provided

In addition, the Engineering Department staff has indicated that several TXDOT-related review comments have not yet been addressed by the applicant which could significantly impact the Development Plan.

Third Reading

The City Council held a public hearing and second reading on April 23, 2018 and voted 7-0 to approve, however members of Council expressed concerns about the outstanding staff comments, the open-ended list of deviations, and lack of clarity regarding which deviations applied to which lots or aspects of the development. Staff worked with the applicant to address the concerns. Some of the changes include:

- Removed the open-ended list of 22 deviations
- Modified note 3 to indicate that the wall signage on Lot 1 will generally match the provided elevations, the wall signage on Lots 2 - 6 will comply with the regulations for C-2 zoned properties, and the monument signage and unified development signage will comply with the Master Sign Plan
- Clarified in several notes that Lots 2 - 6 will comply with the regulations for C-2 zoned properties save and except for deviations included in the PD and will require detailed site plan approval by city staff to ensure compliance with the requirements of the Zoning Ordinance and this PD
- Added a note to provide for a shared parking agreement among Lots 3, 4, and 5 to meet overall minimum parking requirements
- Clarified in note 7 that a total of three drive-thru restaurants will be allowed on the pad sites (Lots 2, 3, 4, and 5), with two of the drive-thru locations shown on the plan (on Lots 3 and 4), but would like the option to have the third drive-thru restaurant be located on either Lot 2 or Lot 5
- Requesting that elevation changes to Lot 1 be staff approved and considered a minor amendment to the PD
- Added a note that no foundation plantings will be required in the entire development due to concerns over how the landscaping negatively impacts the building foundations
- Added a note to clarify that for Lots 1 and 2, all building articulation, massing, materials, outside storage, and screening from public views will comply with the elevations and plan details provided with the PD
- Added a note to clarify that driveway widths and spacing along E. Broad St. and Mitchell Rd. will comply with the development plan
- Added a note to clarify that onsite amenity areas will be installed at the location shown on the development plan
- After consulting with City Engineering and Parks staff, the applicant increased the sidewalk width along Broad St. to 8 ft., increased the sidewalk width along Mitchell Rd. to 8 ft., and removed the 8 ft. sidewalk along U.S. 287; the applicant has also added a sidewalk stub-out on Lot 5 to the southwest corner of the development to support a possible future sidewalk connection from this development to properties to the south

- The proper labeling requested by staff has been made to the Elevations
- The Landscape Plan has been modified to reflect the sidewalk modifications
- The note on the Master Sign Plan has been modified to match the revised Note 3 on the Development Plan

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