



Legislation Details (With Text)

File #:	20-3421	Version:	3	Name:	Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from PD Planned Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 9.612 Acres out of the William Howard Survey, Abst
Type:	Ordinance	Status:			Passed
File created:	1/14/2020	In control:			City Council
On agenda:	2/24/2020	Final action:			2/24/2020
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 Single-Family Residential Uses on Approximately 9.612 Acres out of the William Howard Survey, Abstract No. 690, Tarrant County, TX, Located on the East Side of Miller Road, Approximately 480 feet South of Cannon Drive; John Arnold of Skorborg Company on behalf of Paul A. & Paula Sutton, Marilyn G. Richardson, and Christopher Puempel (ZC#19-020)				
Sponsors:	Joe Smolinski, Matt Jones, Andrew Bogda				
Indexes:					
Code sections:					
Attachments:	1. Ordinance, 2. Exhibit A, 3. Exhibits B - F (Option A), 4. Exhibits B - F (Option B), 5. Maps and Supporting Information, 6. Previously Approved Development Plan, 7. Resubmittal Cover Letter 1-30-20, 8. Letters of Support, 9. Correspondence from MISD regarding impact to schools				

Date	Ver.	Action By	Action	Result
2/24/2020	3	City Council	Approved on Third And Final Reading	Pass
2/10/2020	2	City Council	Approved on Second Reading	Pass
1/27/2020	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 Single-Family Residential Uses on Approximately 9.612 Acres out of the William Howard Survey, Abstract No. 690, Tarrant County, TX, Located on the East Side of Miller Road, Approximately 480 feet South of Cannon Drive; John Arnold of Skorborg Company on behalf of Paul A. & Paula Sutton, Marilyn G. Richardson, and Christopher Puempel (ZC#19-020)

To consider the subject zoning change request.

The Planning & Zoning Commission held a public hearing on December 16, 2019 and voted 7-0 to table consideration until January 6, 2020 to allow the applicant time to address the feedback and recommended conditions made by the Commission, as well as outstanding staff comments. During the meeting, there was extensive discussion regarding lot sizes, density, traffic, impact to the schools, screening, enhanced entryway features, open space features, and home sizes. There were three residents in support of the zoning request (as long as the traffic issues were addressed) and two residents in opposition to the request.

Based on the Commission's conditions and feedback as well as staff comments, the applicant made the following changes to the plans:

- Increased the minimum floor area for the 40' and 50' lots from 1,800 sq. ft. to 2,000 sq. ft.

- Increased the minimum floor area for the 65' lots from 1,800 sq. ft. to 2,200 sq. ft.
- In lieu of only having J-swings on 10% of the 65' lots, a note has been added requiring at least two garage enhancements on every home from a list of seven options
- Provided the proposed residential landscaping standards: "40' lots shall have 1 tree in the front yard and 1 tree in the rear yard. 40' corner lots shall have an additional tree in the side yard. All other lots will comply with the City's standard landscape requirements."
- Revised the screening adjacent to the nursing home from a 6' wood fence with masonry columns to an 8' wood fence with masonry columns
- Revised the screening adjacent to the high school from a 6' wood fence to an 8' wood fence.
- Added an unmanned guard shack to the enhanced entryway at Colby Drive
- Adjusted the maintenance notes and screening details to account for the changes to the screening adjacent to the nursing home and high school
- Added a note that the decorative street lights at the enhanced entryway shall be enhanced and shall conform to Oncor and City standards

The Planning & Zoning Commission reconsidered the case on January 6, 2020. A motion was made to recommend approval with the following conditions:

- Additional architectural enhancements are provided for the homes on 40' lots
- A revised and acceptable preliminary drainage plan is provided
- The plan is revised to show existing 30' ROW from center line of Miller Road, total of 60'
- Trails and benches be provided in the open space area.

The motion failed by a vote of 3-3 (Axen, Groll, and Weydeck voting no).

The applicant has revised their plans to provide for additional architectural enhancements for the homes on the 40' lots and has provided an exhibit showing the planned enhancements, as well as examples of representative product planned for the 40' lots. The required enhancements for the 40' lots include the following:

- All elevations with a second floor above the garage shall be required to have articulation between the garage and the second floor
- All homes will have front porches with a minimum of fifty (50) square feet
- A minimum of 10% of the front elevations will have decorative overhang accents over the garage and/or windows
- All 8:12 roof pitches will have a minimum overhang of twelve (12) inches
- All homes shall have either an upgraded garage door with decorative hardware and polyurethane insulation, or have a wood garage door

The applicant has also increased the number of lots from 47 to 48, by changing the two 50' lots at the end of Chambray Lane to three 40' lots. In addition, the masonry screening wall on the north and east side of the northwestern open space lot has been increased in height to 8' to match the height of the 8' wood fence with masonry columns along the northern perimeter of the development.

The applicant is still working out the details of the drainage design with the Engineering Department and it has not been determined yet if there will be adequate room to accommodate trails and benches in the open space area. The applicant has also not revised the right-of-way dedication to show 30' ROW from the center line of Mitchell Road as requested.

The subject property consists of 9.612 acres on the east side of Miller Road at Colby Drive and Chambray Lane, just north of Ursula Court and approximately 480 feet south of Cannon Drive. The property is located immediately south of The Pavilion at Creekwood nursing home and immediately west of Mansfield High School. The property is currently occupied by two single-family homes and several sheds and storage barns. In 2007, the property was re-zoned with the property to the north to a planned development for a nursing home and assisted living facility. The nursing home to the north was built in 2014, but the assisted living facility on the subject property was never built and the developer no longer has plans to build it here. The applicant is requesting to re-zone the property from PD Planned Development District to PD Planned Development District for single-family residential uses.

Development Plan and Standards

The applicant plans to develop a 48-lot single-family residential neighborhood called Colby Crossing Phase 2. The developer previously built the Colby Crossing development immediately to the northwest (across Miller Road) and since Colby Drive will extend from that development into this one, the applicant is requesting to call this Phase 2 of that development. However, while Colby Crossing included larger lots and homes (minimum lot size of 7,800 sq. ft., minimum lot width of 65', and minimum floor area of 2,600 sq. ft.), this development will have a mix of smaller lots and smaller minimum residential floor areas. 13 lots will have a minimum lot area of 7,280 sq. ft. and a minimum lot width of 65'. 10 lots will have a minimum lot area of 5,500 sq. ft. and a minimum lot width of 50'. 22 lots will have a minimum lot area of 4,099 sq. ft. and a minimum lot width of 40'. The minimum residential floor area ranges from 2,000 - 2,200 sq. ft. The applicant is generally using SF-7.5/18 as their base zoning and is proposing the following bulk area standards:

	40' lots	50' lots	65' lots
Min. Floor Area (sq. ft.)	2,000	2,000	2,200
Min. Lot Area (sq. ft.)	4,099	5,500	7,280
Min. Lot Width	40'	50'	65'
Min. Lot Depth	100'	110'	110'
Min. Front Yard	20'	20'	20'
Min. Rear Yard	10'	10'	15'
Min. Interior Side Yard	5'	5'	5' & 10'*
Min. Exterior Side Yard (adjacent to street)	20'	20'	20'
Max. Lot Coverage	65%	55%	55%
Max. Height	35'	35'	35'
Min. Street Frontage	40'	40'	40'
Min. Front Setback on Knuckles/Cul-de-Sacs	15'	15'	15'
Min. Masonry Percentage	80%	80%	80%

*Requires lots to have a minimum of 5' on one side and a minimum of 10' on the other side, for a total of 15'

Note: All corner lots shall be at least 15' wider than the minimum lot width

Note: Lots with J-Swing homes shall have a reduced minimum rear yard setback of 10'

Note: The driveway for Lot 2, Block 3 shall be located on the east side of the lot

Staff notes that all of the lots deviate from the typical standards for SF-7.5/18 as it relates to minimum lot area, minimum front yard, and maximum lot coverage. Furthermore, the 40' and 50' lots also deviate from the typical standards as it relates to minimum rear yard and minimum interior side yard. The 40' lots also deviate from the typical standards as it relates to minimum lot depth.

The development will comply with the community design standards noted in Section 4600 of the Zoning

Ordinance, with the exception that J-swing garages will be provided on a minimum of 10% of the 65' lots only. The applicant has also specified that the minimum masonry percentage will be 80%.

The development will have a gross density of 4.99 residential lots per acre and will be completed in one phase. It should be noted that the proposed density of this neighborhood is higher than the density in surrounding neighborhoods, which varies from 2.82 lots per acre (Palos Verdes Estates) to 3.88 lots per acre (Colby Crossing).

Access and Enhanced Entryway Plan

The Colby Drive access point will serve as the development's primary entrance and will include the enhanced entryway features. Chambray Lane will serve as a secondary access point. As indicated in the Enhanced Entryway Plan, the developer will be providing five enhanced entry features as required by the Zoning Ordinance. The five proposed elements are a boulevard section with median, enhanced pavers or stained concrete, decorative street lighting, enhanced architectural features (enhanced screening wall with signage and decorative masonry columns with architectural shingles as well as an unmanned guard tower), and enhanced landscaping features (shrub beds and ornamental trees). The Chambray Lane entrance will also include signage. In lieu of having the signage and architectural columns match on both sides of the primary enhanced entryway, they will split the signage and architectural columns between the two access points and will provide the unmanned guard tower at the Colby Drive entrance.

Landscaping and Screening

The applicant has provided an overall Landscape and Screening Plan for the entire development. Due to the smaller size of the 40' lots, the applicant plans to deviate from the typical residential landscaping requirements of the Zoning Ordinance by providing one tree in the front yard and one in the rear yard; for corner lots, an additional tree shall be planted in the side yard facing the street. For the 50' and 65' lots, the typical requirements will be followed. In addition, a 6' masonry screening wall with masonry columns (spaced every 50' O.C.) will be provided along Miller Road adjacent to the residential lots. An 8' board-on-board fence with masonry columns (spaced every 40' O.C.) will be provided along the northern perimeter of the development adjacent to the nursing home. The open space lot at the northwest corner of the development will be screened on the north and east side by an 8' masonry-screening wall; this masonry wall is 8' to match the height of the 8' wood fence with masonry columns along the northern perimeter of the development. An 8' board-on-board fence without masonry columns will be provided along the eastern perimeter of the development adjacent to Mansfield High School.

Open space will be limited to drainage and detention areas in the eastern portion of the development and landscaping areas along the western perimeter of the development and at the primary entrance. Open space will comprise 8.76% of the development.

Summary and Recommendation

Colby Crossing Phase 2 is a proposed single-family residential development with three lot categories and a total of 48 homes. It would replace plans for an 80-unit assisted living facility. Single-family zoning is consistent with the surrounding land uses in the area, however, with some 40' and 50' lots and a gross density of 4.99 residential lots per acre, the lot sizes are smaller and the density is higher than those of surrounding neighborhoods. Additionally, the Future Land Use Plan recommends that developments in this area match adjacent developments and generally be 3 units per acre or less. While staff recommends zoning standards that more closely match the surrounding neighborhoods and the Zoning Ordinance, the applicant has elected to proceed with the proposed standards to allow for some different product types not found in this area of the City. Staff recommends that any action taken by Council include the following conditions:

- Reduce the total number of lots and provide zoning standards that are more consistent with surrounding developments and the recommendations in the Future Land Use Plan
- Provide a revised and acceptable preliminary drainage plan

- Provide active recreational features (i.e. trails, benches) in the open space area
- Show existing 30' ROW from center line of Miller Road, for a total of 60'

2nd Reading:

The City Council held a public hearing and first reading on January 27, 2020 and voted 6-1 (Leyman voting no) to approve with the condition that Windsor Homes be the builder for the entire development and that the planned development be modified to provide for minimum lot standards that mirror the standards for Colby Crossing Phase 1 except for 14 lots that could have reduced standards.

The applicant has provided a new plan that reduces the overall number of lots from 48 to 45 and reduces the density from 4.99 units per acre to 4.68 units per acre. However, the new development standards for the 65' wide lots do not exactly match the minimum standards for Colby Crossing Phase 1. The approved minimum standards for Colby Crossing Phase 1 are:

Min. Floor Area (sq. ft.)	2,600
Min. Lot Area (sq. ft.)	7,800
Min. Lot Width	65'
Min. Lot Depth	120'
Min. Front Yard	25' (covered front porches can encroach up to 5')
Min. Rear Yard	15'
Min. Interior Side Yard	5' & 10'
Min. Exterior Side Yard (adjacent to street)	20' abutting side yard; 15' abutting rear yard
Max. Lot Coverage	55%
Max. Height	35'
Min. Masonry Percentage	90% of entire home; 100% for front façade
Min. J-Swing Requirement	20%

The new proposed standards for Colby Crossing Phase 2 are:

	40' lots	50' lots	60' lots	65' lots
Number of Lots	19	5	6	15
Min. Floor Area (sq. ft.)	2,000	2,000	2,000	2,200
Min. Lot Area (sq. ft.)	4,000	5,500	6,600	7,150
Min. Lot Width	40'	50'	60'	65'
Min. Lot Depth	100'	110'	110'	110'
Min. Front Yard**	20'	20'	20'	20'
Min. Rear Yard	10'	10'	10'	15'
Min. Interior Side Yard	5'	5'	5'	5' & 10'***
Min. Exterior Side Yard	20'	20'	20'	20'
Max. Lot Coverage	65%	55%	55%	55%
Max. Height	35'	35'	35'	35'
Min. Street Frontage	40'	40'	40'	40'
Min. Masonry Percentage	80%	80%	80%	80%
Min. J-Swing Requirement	0%	0%	0%	10%

*Lots on knuckles and cul-de-sacs shall have a reduced minimum front yard of 15'

**Requires lots to have a minimum of 5' on one side and a minimum of 10' on the other side, for a total of 15'

Note: All corner lots shall be at least 10' wider than the minimum lot width

Note: Lots with J-Swing homes shall have a reduced minimum rear yard setback of 10'

Note: The driveway for Lot 2, Block 3 shall be located on the east side of the lot

Note: Lot 12, Block 2 shall have a reduced minimum lot depth of 90'

The new plan only provides for 15 65' wide lots, which have reduced standards in comparison to Colby Crossing Phase 1 as it relates to minimum lot area, minimum floor area, minimum lot depth, minimum front yard, minimum rear yard (reduced setback allowed for homes with J-swings), minimum masonry percentage,

and minimum J-swing requirement. The new plan also provides for 19 40' wide lots, 5 50' wide lots, and 6' 60' wide lots, for a total of 30 lots that are below 65' in minimum lot width, whereas City Council had specified only 14 lots below 65' in width in their motion to approve.

In addition, while Colby Crossing Phase 2 requires some garage design enhancements, the standards for Colby Crossing Phase 1 specifically required decorative wood garage doors or wood overlays on all garage doors in the development, which Phase 2 does not specifically require.

In addition to these changes, the screening standards, enhanced entryway features, and open space elements have been reduced as follows:

- The screening along the northern perimeter of the development has been reduced from an 8' wood fence with masonry columns to an 8' wood fence without masonry columns.
- The screening along the eastern perimeter of the development has been reduced from an 8' wood fence to a 6' wood fence.
- The unmanned gate house has been removed from the enhanced entryway.
- Trails and benches will also not be provided in the open space/detention lot, which will now include a retention pond with fountain.

The applicant has stated that the reduction in screening, entryway features, and open space amenities is due to the reduction in lot count and revised lot mix.

The applicant has provided a letter that describes the changes made and the reasons for the changes.

Staff recommends that any action taken by Council include the following conditions:

- Provide zoning standards that are more consistent with surrounding developments and the recommendations in the Future Land Use Plan
- Provide a cap rail on all wood fences
- Provide a revised and acceptable preliminary drainage plan
- Show existing 30' ROW from center line of Miller Road, for a total of 60'

3rd Reading:

The City Council held a public hearing and second reading on February 10, 2020 and voted 4-1 (Leyman voting no; Broseh and Moore absent) to approve with the following conditions:

- Wood garage doors be provided on all homes
- A guard shack of similar quality to the one in Colby Crossing Phase I be added back in to the plans
- A cap be provided on the 8' board-on-board wood fences to be installed by the developer
- The minimum home sizes be increased to 2,200 sq. ft. for the 40' wide lots and 2,400 sq. ft. for the 50', 60', and 65' wide lots
- Street trees be provided, spaced every 65'
- No repeating elevations and materials every four (4) homes
- The lots on the northern and eastern boundaries of the property be changed to 50' wide lots,

with no more than three (3) 40' wide lots, located at the Chambray Lane cul-de-sac

During the discussion, there were several other recommendations that were made, including:

- Providing salt finishes on all driveways
- Providing porches of at least 50 sq. ft. on all homes
- Increasing the minimum masonry percentage for all homes to 90%
- Providing enhanced interior finishes
- Providing at least 5 J-swings (on the 60' and 65' wide lots)

The applicant has provided a new plan that reduces the overall number of lots to 40 and reduces the density to 4.16 units per acre.

The new proposed standards for Colby Crossing Phase 2 are:

	50' lots	60' lots	65' lots
Number of Lots	19	6	15
Min. Floor Area (sq. ft.)	2,400	2,400	2,400
Min. Lot Area (sq. ft.)	5,000	6,600	7,150
Min. Lot Width	50'	60'	65'
Min. Lot Depth	110'	110'	110'
Min. Front Yard*	20'	20'	20'
Min. Rear Yard	10'	10'	15'
Min. Interior Side Yard	5'	5'	5' & 10'**
Min. Exterior Side Yard	15'	15'	20'
Max. Lot Coverage	65%	65%	65%
Max. Height	35'	35'	35'
Min. Street Frontage	50'	50'	50'
Min. Masonry Percentage	90%	90%	90%
Min. J-Swing Requirement	0%	See notes	See notes

*Lots on knuckles and cul-de-sacs shall have a reduced minimum front yard of 15'

**Requires lots to have a minimum of 5' on one side and a minimum of 10' on the other side, for a total of 15'

Note: All corner lots shall be at least 10' wider than the minimum lot width

Note: J-Swings shall be required on a minimum of 5 of the 65' or 60' wide lots. Lots with J-Swing homes shall have a reduced minimum rear yard setback of 10'

Note: The driveway for Lot 2, Block 3 shall be located on the east side of the lot

Note: Lot 2, Block 1 and Lot 12, Block 2 shall have a reduced minimum lot depth of 90'

The revised layout eliminates the 40' wide lots and provides for 65' wide lots along the southern and western sides of the development (adjacent to Miller Road and the existing single-family homes to the south), 50' wide lots along the northern and eastern portions of the development (adjacent to the high school and nursing home), and a mix of 50' wide and 60' wide lots in the central portion of the development.

The recommendations of City Council were also incorporated into the minimum development

regulations, including:

- Increasing the minimum residential floor area to 2,400 sq. ft
- Increasing the minimum masonry percentage to 90%
- Providing salt finishes on all driveways (outside of the right-of-way)
- Providing a front porch on every home (50 sq. ft. minimum size)
- Providing wood garage doors on all homes
- Providing at least five J-swing garages (on the 60' wide or 65' wide lots)
- No repeating elevations/materials every four lots minimum
- Restoring the guard shack to the enhanced entryway
- Requiring a cap rail on all wood fences
- Requiring street trees every 65' (in addition to the required builder-planted trees)

Due to the increase in the minimum home sizes, the maximum lot coverage has been increased to 65%.

Staff recommends that any action taken by Council be conditioned on the following:

- Provide zoning standards that are more consistent with surrounding developments and the recommendations in the Future Land Use Plan (the minimum lot size and setback standards remain below the standards of the surrounding area and the density exceeds the 3 units per acre called for in the Future Land Use Plan)
- Provide a revised and acceptable preliminary drainage plan (while an acceptable drainage solution has been identified, a corresponding updated plan still needs to be provided)

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