



## Legislation Details (With Text)

<b>File #:</b>	21-4195	<b>Version:</b>	1	<b>Name:</b>	ZC#21-004: Public hearing for a change of zoning from PR, Pre-Development District and SF-12/22, Single-Family Residential District to PD, Planned Development District for single-family residential uses on approximately 277.961 acres out of the Margaret R
<b>Type:</b>	Zoning Case	<b>Status:</b>	Passed		
<b>File created:</b>	8/2/2021	<b>In control:</b>	Planning and Zoning Commission		
<b>On agenda:</b>		<b>Final action:</b>	8/2/2021		
<b>Title:</b>	ZC#21-004: Public hearing for a change of zoning from PR, Pre-Development District and SF-12/22, Single-Family Residential District to PD, Planned Development District for single-family residential uses on approximately 277.961 acres out of the Margaret Rockerfellow Survey, Abstract No. 1267, Tarrant County, TX, located on the south side of Newt Patterson Rd. and the Union Pacific Railroad at 1669, 1671, 1791, 1821, and 1901 Newt Patterson Rd.; Bryce Eckeberger of Kimley-Horn (engineer/planner) and Matt Johnson of WPC Acquisitions, Inc. (developer) on behalf of Minh Tran; Jacob Back, Jr.; Harvey Back; and Gregory Rawdon (owners)				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Maps and Supporting Information.pdf, 2. Exhibit A - Property Description.pdf, 3. Exhibit B - Development Standards.pdf, 4. Exhibit C - Development Plan.pdf, 5. Exhibit D - Open Space, Screening, and Trail Plan.pdf, 6. Exhibit E - Enhanced Entryway and Amenity Plans.pdf

Date	Ver.	Action By	Action	Result
8/2/2021	1	Planning and Zoning Commission	Approved	Pass

ZC#21-004: Public hearing for a change of zoning from PR, Pre-Development District and SF-12/22, Single-Family Residential District to PD, Planned Development District for single-family residential uses on approximately 277.961 acres out of the Margaret Rockerfellow Survey, Abstract No. 1267, Tarrant County, TX, located on the south side of Newt Patterson Rd. and the Union Pacific Railroad at 1669, 1671, 1791, 1821, and 1901 Newt Patterson Rd.; Bryce Eckeberger of Kimley-Horn (engineer/planner) and Matt Johnson of WPC Acquisitions, Inc. (developer) on behalf of Minh Tran; Jacob Back, Jr.; Harvey Back; and Gregory Rawdon (owners)

*Future Land Use designation:* Sub-Area 1

*Existing Use:* Vacant land with single-family residential homes, accessory buildings, and gas wells

*Existing Zoning:* PR, Pre-Development District and SF-12/22, Single-Family Residential District

### *Surrounding Land Use & Zoning:*

North -Newt Patterson Rd. and Union Pacific Railroad; vacant land, single-family residential, plant nursery (PR, SF-12/22, PD, and A) across the street or railroad

South - Vacant land, PR and SF-7.5/12

East - Vacant land and gas well, PR

West - Vacant land, PR

### *Thoroughfare Plan Specification:*

Newt Patterson Rd. - minor collector (three-lane undivided)  
Retta Rd. - principal arterial (six-lane divided)

### Comments and Considerations

The subject property consists of 277.961 acres. The property is currently developed with four (4) single-family homes, miscellaneous accessory structures, and two (2) gas wells. The applicant's request is to rezone the property from PR, Pre-Development District and SF-12/22, Single-Family Residential District to PD, Planned Development District to construct detached single-family residences and related amenities. The applicant proposes to construct a maximum of 520 single-family residences as shown in the Development Plan.

### Development Plan and Standards

The proposed residential development will be called Willow Branch and will contain up to 520 detached single-family residences, a large area of open space in the southern portion of the site, and smaller areas of open space near the main entrances and in the east-central portion of the site. As proposed, the development will include four lot types, which are distributed fairly equally throughout the development (20% SF-4.5, 28% SF-6, 27% SF-7.2, and 25% SF-8.4). The SF-4.5 lots will be served by alleys and will be located on interior blocks of the development.

Approximately 136.57 acres (or 50.6% of the site) will be open space (floodplain, open space, or amenity center). The proposed development will have a gross density of 1.9 units per acre and a net density (independent of floodplain and perimeter right-of-way) of 3.1 units per acre. The proposed development will include two phases: Phase 1 will include 264 lots and Phase 2 will include 256 lots.

The minimum development regulations for the different lot types are as follows:

	SF-8.4	SF-7.2	SF-6	SF-4.5
Minimum Lot Area:	8,400 sq. ft.	7,200 sq. ft.	6,000 sq. ft.	4,500 sq. ft.
Minimum Floor Area:	2,400 sq. ft.	2,200 sq. ft.	2,000 sq. ft.	1,800 sq. ft.***
Maximum Lot Coverage:	55%	55%	55%	55%
Minimum Lot Width:	70'	60'	50'	40'
Minimum Lot Depth:	110'	110'	110'	100'
Minimum Front Yard:	20'	20'	20'	15'*
Minimum Rear Yard:	20'	15'	15'	20'
Min. Interior Side Yard:	7.5'	5'	5'	5'
Min. Corner Side Yard**:	15'	15'	15'	15'
Maximum Height:	35'	35'	35'	35'
Minimum Lot Frontage:	50'	50'	35'	30'

\*SF-4.5 shall have a minimum 15' front yard setback, but no greater than 20'.

\*\*A 20' setback is required for lots that back up to the side property line of another lot and a 15' setback is required for lots that back up to the rear of another lot.

\*\*\*Up to one third of the SF-4.5 lots shall be allowed to have a reduced minimum floor area of 1,600 sq. ft.

### Notes:

1. Lots on a cul-de-sac or elbow may have the lot width reduced by 10 feet as long as the lot area exceeds the minimum square footage.
2. Corner lots shall be at least 10' wider than the minimum lot width

### Architectural Regulations

The architectural standards prepared by the applicant reference the community design standards set forth in Section 155.056 of the City's Code of Ordinances. The architectural standards mandate that all homes shall be at least 80% masonry.

As it relates to garage orientation, SF-8.4 homes shall be J-swing or side-entry garages; third-car garage options are allowed to face the street so long as they are set back a minimum of 20' from the front façade of the dwelling. SF-6 and SF-7.2 homes shall have a 25' garage setback for any front-facing garages. SF-4.5 homes shall be rear entry (served by alleys). All garage doors shall be wood, wood-clad, or carriage-style doors.

A minimum of 25% of the SF-4.5 lots shall have a front porch with a minimum size of 40 sq. ft.

### Access and Circulation

The development will be served by two main entrances off Newt Patterson Road, with an additional entrance off Retta Road when it gets extended in the future. All three access points will be collector streets (60'-width right-of-way); the two access points off Newt Patterson Road taper to standard residential streets (50'-width right-of-way) about 1000' into the development. The access points off Newt Patterson Road will also include divided boulevard sections with enhanced entryway features. The two main collector streets will intersect roughly in the center of the development, with one of them continuing east to serve the eastern portion of the development. Two culvert crossings will be provided over a tributary of Willow Branch to serve the portion of Phase 2 located east of the channel. Two stubs will be provided on the eastern boundary of the development to provide connections to future development that may occur to the east.

As currently presented, the alleys to serve the SF-4.5 lots will include a 20'-wide common access easement and a paving width of 15'; the alleys will be maintained by the homeowners' association.

A large dedication zone for the future extension of Retta Road has been accommodated on the western portion of the development to provide for the extension of this roadway depending on the ultimate alignment. This future extension of Retta Road is part of the Thoroughfare Plan and will provide a future north-south artery connecting Broad Street to FM 1187 on the west side of the City.

A Traffic Impact Analysis (TIA) was required for this proposed development and has been reviewed by staff. Based on the information provided in the TIA, the following will need to be provided:

- 1.) To maintain traffic flow and minimize delay on Newt Patterson Road, an eastbound right-turn lane will be required at the west subdivision access point (primary drive).
- 2.) Design and installation of a traffic signal at the intersection of FM 1187 and Newt Patterson Road will need to be provided. This design and installation shall also include northbound and southbound left-turn bays on Newt Patterson Road. Based upon the traffic added to the northbound approach, the developer is responsible for 80% of this cost.

### Gas Wells

The gas well in the center of the development will remain and the access to it will be modified to use one of the collector streets for the development. Approximately 31 residential lots will be located within 300' of the central gas well pad. 30 lots will front or side to the road that will carry gas well traffic to the central pad site and an additional 17 lots will back to the access road or to the gas well.

The gas well in the eastern portion of the development will also remain and access to it and other nearby gas wells will continue to use the existing access road along the northern and eastern boundary of the development. This access road will now terminate at the subdivision collector street near the main entrance at Newt Patterson. Approximately 52 residential lots will be located within 300' of the eastern gas well pad, with 18 of those lots backing directly to it. Additionally, 54 residential lots will back to the access road for the eastern gas well.

Written consent from the gas well operators to relocate their access will need to be provided. The applicant has indicated they have been in contact with the eastern gas well operator and have received confirmation regarding this. They are awaiting confirmation from the central gas well operator. In addition, written consent will need to be provided in order to cross the gas pipeline at the far southeast corner of the development.

#### Open Space and Amenity Plan

The proposed Open Space and Amenity Plan has been provided and further details can be found in the Development Standards and the Enhanced Entryway and Amenity Plans exhibit. Over half of the site (136.57 acres) will be dedicated as open space. A majority of this area is floodplain located in the southern portion of the site, as well as open space areas along the north-south tributary of Willow Branch in the eastern portion of the development, areas near the main entrances to the site, the amenity center area, and smaller open space lots. Significant stands of trees will be preserved near the entrances off Newt Patterson Road as well as along the north-south tributary. Three existing ponds will also be preserved: one near the amenity center, one in the floodplain adjacent to some of the lots, and one in the center of the open space area in the eastern portion of the site.

The amenity center will be located roughly in the center of Phase 1 and will include a swimming pool, open shade structure, playground, and restroom facilities. The open space area in the eastern portion of the site along the north-south creek (roughly the center of Phase 2) will include an overlook with seating area and shade structure. Additional open space amenities to be provided include a disc golf course and soccer goals.

#### Street Trees and Landscaping Standards

As illustrated in the Street Plan and specified in the Development Standards, street trees will be provided throughout the development (with the trees located between the sidewalk and the street). One street tree shall be provided per lot. In open space areas, the developer shall install one street tree every 50' of frontage. In addition, for the SF-8.4 and SF-7.2 lots, there will be a minimum of two trees required for each lot, one of which may be located in the rear yard. For the SF-6 and SF-4.5 lots, one front yard tree is required. For all product types, 15% of the front yard landscaping shall be enhanced planter beds; the area calculation shall be exclusive of driveways and sidewalks to the home.

#### Screening Plan

A screening plan has been provided, illustrating the locations of the different screening devices planned throughout the development. In addition, screening standards are specified in the Development Standards. A 6' masonry screening wall will be provided to screen the lots backing up to the future extension of Retta Road. Lots backing up to Newt Patterson Road near the entrance of the development and lots siding or backing up to the development's collector streets will include a 6' wood fence with masonry columns. 4' split-rail wood fences will also accentuate the two entrances on Newt Patterson Road. Lots backing or siding to gas well pads or access roads will include an 8' wood fence. Finally, lots backing or siding to open space areas will include a 6' ornamental metal

fence.

### Trail Plan

To allow residents access to the open space areas and to provide pedestrian connectivity throughout the development, trails will be provided as shown in the Trail Plan. All trails will be concrete. A 6' trail will be provided along Newt Patterson Road and the collector streets. A 10' trail will be provided through the large open space area in the southern portion of the site. A 6' trail connection has been proposed along the north-south tributary to connect the 10' trail section in the open space area to the 6' trail along the street; if grades do not permit the trail connection being made along the tributary, the trail connection shall be made along the street east of the tributary. A trailhead will be provided at the main entrance to the 10' trail west of the amenity center.

### Enhanced Entryway Plan

An Enhanced Entryway Plan has been provided, showing the design enhancements proposed for the two entrances off Newt Patterson Road. The primary (west) entryway will include a long divided boulevard section with an area of enhanced paving (replicating cattle guard), enhanced landscaping in the median and on either side of the entryway, a stone & metal sign with the name of development in brushed aluminum lettering, overhead structures with pendant lights on either side of the entryway, and an overhead structure in the median with a smaller logo sign to match the main entry sign. The secondary (east) entryway will include a shorter divided boulevard section with a smaller area of enhanced paving (replicating cattle guard), enhanced landscaping in the median and on either side of the entryway, freestanding stone walls in the median and the east side of the entryway, an overhead structure with smaller logo sign to match the main entry sign on the east side of the entryway, and an overhead structure with pendant light on the west side of the entryway. The entryways will also include 4'-tall split-rail wood fences, boulders, and the preservation of existing trees.

The proposed development will provide for single-family residential uses and related amenities. The Land Use Plan recommends continued development as rural estate residential lots, but also allows for residential densities of up to 3 units per acre where development includes city water and sewer, consistent with the existing feel and character of the area, using the residential guidelines adopted by Council as a guide to any new residential development. At a gross density of 1.9 units per acre and a net density (independent of floodplain) of 3.1 units per acre, this development meets the density recommendations of the Land Use Plan. In addition, the Land Use Plan encourages cluster development to protect and preserve drainage ways, open space, trees, creeks, and tributaries to accommodate drainage and provide for linear parks, habitats for animals, and natural buffers. With large areas of the development set aside to preserve floodplain, creeks, tributaries, and heavily wooded areas, this development will follow the recommendations. The Land Use Plan also encourages single-loaded streets to allow for scenic views of open space, which the development achieves in a handful of areas such as near the trailhead and overlook and in the southeast portion of the development.

The development also helps to enhance the rural character of the area as seen from Newt Patterson Road, with large areas of trees preserved near the main entrances and enhanced entryway features such as split-rail fences, enhanced paving meant to replicate cattle guard, enhanced landscaping, and decorative overhead structures.

The mixture of lot types, home sizes, and architectural design elements will help to create a true neighborhood with a mix of product offerings that cater to different demographics distributed evenly throughout the development. As the City approaches build-out, the development will also provide for

the maximum utilization of developable land appropriate for this area while preserving the open space that is needed.

In addition to providing for proper drainage and flood control, the large areas of open space and preservation of floodplain and creeks will also help to provide abundant open space and recreational opportunities for neighborhood residents, as well as buffering of properties to the south. The entryway features, street trees, trails, swimming pool, playground, disc golf course, soccer goals, seating areas, shade structures, trails, overlook, trailhead, and ponds will help to enhance the development and provide the necessary amenities for a development of this size. The planned screening devices will provide for the necessary screening of residential lots from roadways, gas well sites and access roads, and open space areas in a manner that is aesthetically-pleasing and appropriate.

To aid in traffic circulation, two main points of access have been provided, with a third access point planned for when Retta Road is extended and additional future access available to the east. Staff believes that the two points of access are adequate to serve the western two-thirds of the development and believes the eastern third of the development will be adequately served when Retta Road is extended or other access to Newt Patterson Road is provided to the east (across the railroad). In the meantime, improvements to Newt Patterson Road (at the entrance to the development) and the intersection of Newt Patterson & FM 1187 shall be made to ensure adequate traffic circulation and safety.

It should be noted that the proposed access to the development does not meet the Fire Code requirement for two points of access placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served. However, the property's configuration relative to the railroad makes meeting this requirement difficult to achieve. Staff believes the two access points on Newt Patterson Road combined with the connection to the future extension of Retta Road and possible future connections to the east will help to mitigate access limitations in the future. Staff also supports withholding any development east of the north-south tributary until Retta Road is extended or access to the east (across the railroad to Newt Patterson Road) is provided.

Staff recommends approval with the following conditions:

1. No lots shall be permitted east of the north-south tributary until Retta Road is extended to the western access point or an eastern access point is made across the railroad to connect to Newt Patterson Road.
2. The two culverts proposed to be constructed in Phase 2 shall not have any exposed concrete along facing, including retaining walls and wings. All culvert facings shall be faced in cast stone, stone, or other similar material. The vehicular crossings shall include 4' split-rail wood fences with masonry columns to match the fencing at the primary and secondary neighborhood entries; the masonry columns shall include decorative planter boxes and be spaced at a minimum of 10-foot intervals. The culvert facing and railing shall be privately maintained.
3. The trail connection shall be provided along the north-south tributary as shown on the plans.
4. To maintain traffic flow and minimize delay on Newt Patterson Road, an eastbound right-turn lane will be required at the west subdivision access point (primary drive).
5. Design and installation of a traffic signal at the intersection of FM 1187 and Newt Patterson Road shall be provided. This design and installation shall also include northbound and southbound left-turn bays on Newt Patterson Road. Based upon the traffic added to the northbound approach, the developer is responsible for 80% of this cost.

6. Written consent shall be provided from both gas well operators to relocate and/or reconfigure their access as shown.
7. Written consent shall be provided from the gas pipeline operator to cross the pipeline easement as shown.
8. The applicant shall be permitted to have a maximum of two (2) vehicular entries into the development from Newt Patterson Road: a primary entry and a secondary entry. Both entries shall be constructed in substantial conformance with the illustrations shown in Exhibit E.
9. The total number of lots that may be developed for a detached single-family dwelling shall not exceed 520, as shown on the Development Plan in Exhibit C-1.
10. There shall be a total of four (4) lot types provided in the development, as shown on the Development Plan in Exhibit C-1. The lot types shall be as follows: SF-4.5; SF-6; SF-7.2; and SF-8.4.
11. Concerning the five (5) lots identified on the Development Plan in Exhibit C-1 as SF-7.2, and located directly north of the westernmost gas / oil well pad side and east of the intersection of the two (2) thoroughfares designated as 60' Collectors, they shall be removed; and such lots shall be shown as reverting to open space on the revised Development Plan submitted for approval.
12. The same home plan shall not be repeated within eight (8) lots on either side of a home on the same block face.
13. The applicant shall ensure a minimum of 25 percent of the total number of detached single-family residences constructed within each lot type (e.g., SF-4.5, SF-6, SF-7.2, and SF-8.4) shall have a porch meeting the design specifications as provided below.
14. The applicant shall ensure that all porches satisfy the following design specifications:
  - a. All required porches shall be designed and constructed so that they extend along the front façade. In addition, the required porch may project into the front setback up to 50 percent of its depth.
  - b. All required porches shall have a minimum depth of six (6) feet; a minimum area of 60 square feet; be covered by a roof and open on a minimum of (2) sides; and have ample space for outdoor furniture and other related activities. The minimum area calculations shall not include any entryways.
  - c. All required porch floors shall be of brick, concrete slab, stone, or wood plank.
  - d. The Director of Planning, or their designee, may administratively approve a porch design that deviates from these specific requirements if it meets the overall intent of the porch requirement.
15. The applicant shall ensure that the PD, planned development district, provides a set of architectural standards for the design of all detached single-family residences and other permitted buildings. Such architectural standards shall also contain provisions for building materials.
16. The alleys shall have a minimum access easement of 20' and the paving width for all alleys shall be a minimum of 14'.
17. The applicant shall ensure that all permitted buildings shall have pitched roofs which meet the specifications in Section 155.056 of the City's Code of Ordinances.
18. All dedicated park land or open space intended for dedication as park land according to the provisions of Chapter 156 of the City's Code of Ordinance shall adhere to the design criteria established by the Department of Parks and Recreation.

**Attachments:**

Maps and Supporting Information  
Exhibit A - Property Description  
Exhibit B - Development Standards  
Exhibit C - Development Plan

Exhibit D - Open Space, Screening, and Trail Plan  
Exhibit E - Enhanced Entryway and Amenity Plans