



Legislation Text

File #: 19-3343, **Version:** 3

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 30.001 Acres Out of the S. Mitchell Survey, Abstract No. 1024, Tarrant County, TX, and Abstract No. 593, Johnson County, TX, Located at 890 & 932 S. Mitchell Rd.; John Arnold of Skorburg Company on Behalf of Bobby F. & Mary A. Havens (ZC#19-012)

To consider the subject zoning change request.

The Planning and Zoning Commission held a public hearing on October 21, 2019, and voted 5-1 (Weydeck voting no; Smithee absent) to recommend approval with the following conditions:

- Outstanding staff comments be addressed, as noted in the staff report to the Planning & Zoning Commission
- Lot 1 of Block 5 be made open space (due to proximity to the gas well site)
- The wood fence along the northern perimeter of the development be increased from 6' to 8' (due to adjacency to the gas well site & access road)
- The masonry wall along Mitchell Road be continued west along River Birch to the enhanced entryway

One of the commissioners also requested that the applicant increase the percentage of J-swing lots and another commissioner requested that more representative photos of the 50' product be included in the applicant's presentation. There was also discussion about the open space areas and some concern about the impact of the development on the school district.

The applicant is requesting to table first reading to November 25, 2019 to allow them more time to make changes to their plans and address outstanding staff comments, particularly the required alignment study for the surrounding roadways and acknowledgement and agreement from the surrounding property owners.

The subject property consists of 30.001 acres on the west side of S. Mitchell Road and on the north side of the future extension of River Birch Drive, approximately a quarter-mile north of Mathis Road. The property is currently vacant, aside from an old storage barn. 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 111-lot single-family residential neighborhood called Mitchell Farms. 27 lots will have a minimum lot area of 5,500 sq. ft. and a minimum lot width of 50'. 84 lots will have a minimum lot area of 7,280 sq. ft. and a minimum lot width of 65'. The applicant is generally using SF-7.5/18 as their base zoning and is proposing the following bulk area standards:

Min. Floor Area (sq. ft.): 1,800
Min. Lot Area (sq. ft.): 5,500 (50' lots); 7,280 (65' lots)
Min. Lot Width: 50' (50' lots); 65' (65' lots)
Min. Lot Depth: 110'
Min. Front Setback: 20'
Min. Rear Setback: 10' (50' lots); 15' (65' lots)

Min. Interior Side Yard: 5' (50' lots); 5' & 10' (total: 15') (65' lots)

Min. Exterior Side Yard (adjacent to street): 20'

Max. Lot Coverage: 55%

Max. Height: 35'

Min. Street Frontage on Knuckles/Cul-de-Sacs: 50'

Min. Front Setback on Knuckles/Cul-de-Sacs: 15'

Min. Masonry Percentage: 80%

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

Note: A deviation is requested for Lots 13, 14, 15, and 16, Block 2, for a reduced front building setback of 15'

Note: A deviation is requested for Lot 14, Block 2, for a reduced minimum lot depth of 105.14' (as measured at the center of 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 50' lots also deviate from the typical standards for SF-7.5/18 as it relates to minimum rear yard and minimum interior side yard. However, it should be noted that 22 of the lots have a minimum lot area greater than 7,500 sq. ft. and an additional 48 lots have a minimum lot area of between 7,400 and 7,500 sq. ft. Furthermore, it should be noted that the South Pointe Expansion Sub-District of The Reserve (which this property is currently part of) calls for a product that includes a minimum lot area of 6,300 sq. ft., minimum lot width of 55', minimum lot depth of 115', minimum front yard of 20', minimum rear yard of 10', and minimum floor area of 1,800 sq. ft., and the standards for this development propose a combination of two lot types that closely adhere to the existing zoning.

The development will comply with the community design standards noted in Section 4600 of the Zoning Ordinance, with the exception that only 10% of the lots will have J-swing garages. The applicant has also specified that the minimum masonry percentage will be 80%.

The development will have a gross density of 3.69 residential lots per acre and will be completed in one phase.

Access and Enhanced Entryway Plan

The Evert Street access point off the future extension of River Birch Drive on the southern end of the development will serve as the development's primary entrance and will include the enhanced entryway features. 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 9'-3" decorative stone columns with cap), and enhanced landscaping features (planter beds, shrubs, and ornamental trees). The elements match on both sides of the entryway.

A secondary enhanced entryway will be provided at the Sam Street access point off of Mitchell Road, which will include smaller entryway signs with planter beds/shrubs.

There will be a third access point where Sam Street intersects a future roadway along the western perimeter of the development when that road is built in the future. This access point is not planned to have any entry features.

Landscaping and Screening

The applicant has provided an overall Landscape and Screening Plan for the entire development. All residential landscaping will comply with the typical requirements of Section 7300 of the Zoning Ordinance as it relates to tree plantings per lot. In addition, a minimum 6' masonry screening wall with masonry columns (spaced every 60' O.C. or to match lot lines) will be provided along Mitchell Road adjacent to the residential lots. Along the rear of the residential lots backing to the future extension of River Birch Drive (along the

southern perimeter of the development) and the future collector road along the western perimeter of the development, the developer will construct a 6' wood fence with masonry columns (spaced every 60' O.C. or to match lot lines). Along the northern perimeter of the development and the exterior side of Lot 1, Block 5, the developer will construct an 8' wood fence without masonry columns. Along the rear of the lots on the north side of Sam Street, the developer will construct a 6' decorative metal fence to buffer the lots from the open space/drainage area. 6' wood fences will also buffer the exterior sides of lots adjacent to open space areas to be provided along Virginia Street.

In addition, there will be 15' wide open space lots between the surrounding collector roads on the western, southern, and eastern perimeter of the development that will include a row of shade trees with a few ornamental trees interspersed. In addition, the open space lots near the entrances to the development and along Virginia Street will all include clusters of shade trees and ornamental trees. A decomposed granite walking trail and bench and trash receptacle will also be included in one of the larger open space lots. The developer will also enhance street lights and street signs throughout the development with decorative bases, poles, and mounts. The applicant notes that 11.5% of the development will be open space.

Summary and Recommendation

Mitchell Farms provides for a single-family residential development with two lot categories. While 27 of the lots are smaller than what is typically allowed by City (either in the South Pointe Expansion sub-district of The Reserve or in the SF-7.5/18 zoning classification), the majority of the lots are at 7,280 sq. ft. or greater (with a handful of lots exceeding 8,000 sq. ft. in size), which more closely aligns with the Residential Villages product type that is called for in the South Pointe Expansion area, as well as the SF-7.5/18 standards. Furthermore, the proposed front and rear yard setbacks, minimum residential floor areas, and maximum lot coverage also align with the Residential Villages standards. And with an average lot size exceeding 7,000 sq. ft., most of the lot areas are on par with the Residential Villages standards. The minimum interior side yards roughly mirror either the SF-7.5/18 standards (for the larger lots) or the standards of similarly-sized lots in larger planned developments (like Somerset and Birdsong), while the minimum exterior side yards are on par with the SF-7.5/18 standards. With a gross density of 3.69 lots per acre, the density is consistent with the South Pointe Expansion Sub-District, which specifies a maximum density of four dwelling units per acre. In addition, while the design of the development does not strictly adhere to the South Pointe regulations, the applicant is endeavoring to provide a high quality development by following Section 4600 of the Zoning Ordinance (aside from a deviation to the J-swing requirement with only 10% of the lots having J-swings) and also providing enhanced elements throughout the development, including an enhanced entryway with all required features, a secondary enhanced entryway, several open space lots, abundant landscaping and perimeter screening, and additional enhancements including decorative street lights and street signs.

Staff recommends that City Council table consideration of this case to November 25, 2019 as requested by the applicant to allow them more time to make changes to their plans to address the recommendations made by the Planning & Zoning Commission as well as the outstanding staff comments, particularly the required alignment study for the surrounding roadways and acknowledgement and agreement from the surrounding property owners.

First Reading Continuation - November 25, 2019

City Council held a public hearing and first reading on November 11, 2019 and voted 7-0 to table consideration until November 25, 2019 in order to give the applicant more time to make changes to their plans to address the recommendations made by the Planning & Zoning Commission, as well as outstanding staff comments, particularly the required alignment study for the surrounding roadways and acknowledgement and agreement from surrounding property owners. In addition, some councilmembers had requested that the applicant revise the perimeter screening to match what is proposed in Ladera at the Reserve and the View at the Reserve.

The applicant has made changes to their plans to address staff comments and recommendations made by the Planning & Zoning Commission, including specifying the numbers of 50' and 65' lots, correcting the lot

dimension insets, increasing the height of the wood fence along the north property line to 8', and extending the masonry screening wall along Mitchell Road west along River Birch to the enhanced entryway.

In addition, the applicant has met with staff and the property owner to the north and has developed a roadway alignment study for the surrounding area that staff and the property owner to the north have agreed to. The applicant has also sent the alignment study to the additional surrounding property owners for their acknowledgement; certified mail receipts were submitted showing that the letter was sent out to the six affected property owners, and three signed acknowledgements were received at the time the Council agenda packet was prepared.

The following P&Z recommendations were not addressed:

- Make Lot 1 of Block 5 open space due to proximity to the gas well site
- Increase the number of J-swings to 15% (not part of P&Z's motion, but requested by some of the commissioners; staff also suggested making enhancements to the garages, garage doors, or driveways as an alternative)

The applicant has acknowledged the recommendations, is requesting to move forward with the current layout, and is prepared for further discussion with City Council as needed.

At this time, the applicant has not revised the perimeter screening to match Ladera at the Reserve and The View at the Reserve. Staff recommends that the screening along River Birch and the west perimeter of the development be revised to a wood fence with masonry columns spaced every 48' to provide for consistency along River Birch and the future roadway along the western perimeter. Staff also recommends that the column spacing on the masonry wall along Mitchell Road be revised to 32' to match The View at the Reserve.

Second Reading - December 9, 2019

The City Council held a public hearing and second reading on November 25, 2019 and voted 4-2 (Councilmembers Lewis and Moore voting no; Newsom absent) to approve. There was discussion regarding lot mix, lot sizes, conformance with the South Pointe development regulations, perimeter screening, and size and value of the homes. In addition, several councilmembers agreed with the unaddressed Planning & Zoning Commission recommendations that Lot 1 of Block 5 be made open space and that the number of J-swings be increased or that other garage enhancements be made. The applicant has requested to table second reading until January 13, 2020 to give them more time to address the feedback received by City Council, particularly with the shortened holiday week giving them very little time to make changes and have staff review.

Second Reading Continuation - January 13, 2020

City Council held a public hearing and second reading and voted 7-0 to table second reading until January 13, 2020 as requested by the applicant in order to allow the applicant more time to make changes to their plans to address Council feedback. The applicant has submitted revised plans, as well as a letter summarizing the changes that were made to the plans. The changes are summarized as follows:

- Adjusted the lot mix and lot standards to provide for three different lot types to align with the South Pointe PD requirements for three different lot types. The new lot mix includes 55 cottage lots (5,500 sq. ft. min. size; 50' x 110'), 27 village lots (7,150 sq. ft. min. size; 65' x 115'), and 30 manor lots (8,625 sq. ft. min size; 75' x 115')
- Changed the screening along the northern perimeter to eliminate the double fence in favor of a 6' masonry screening wall with columns along the perimeter of the lots with a more usable open space area adjacent to the future church development immediately to the north
- Adjusted the masonry wall column spacing to 48' to match the column spacing along River Birch in the

View at The Reserve and Ladera at The Reserve

- Removed Lot 1, Block 5 at the northwest corner of the development and converted this lot to open space as recommended by members of the Planning & Zoning Commission and City Council due to its proximity to the gas well site
- Adjusted the percentage of J-swings from 10% of the lots to 20% of the 65' and 75' lots
- Increased the minimum residential floor area to 2,000 sq. ft. for the 65' lots and 2,200 sq. ft. for the 75' lots

The applicant also provided information and comparisons between their lot standards and projected price points with the lot standards and price points in South Pointe.

Third Reading - January 27, 2020

The City Council held a public hearing and second reading on January 13, 2020 and voted 7-0 to approve. The following recommendations were made by some of the individual councilmembers:

- Revise the masonry column spacing to 48' O.C. to match column spacing along River Birch in The View at The Reserve and Ladera at The Reserve
- Increase minimum home sizes to 2,000 sq. ft. for 50' lots, 2,200 sq. ft. for 65' lots, and 2,400 sq. ft. for 75' lots
- Provide for garage enhancements for all of the homes
- Provide for aggregate driveways
- Provide for a cap rail on the 6' board-on-board wood privacy fences as well as the 6' board-on-board wood fence with masonry columns

The applicant has made the following changes:

- Revised the masonry column spacing to 48' O.C.
- Increased minimum home sizes to 1,900 sq. ft. for 50' lots, 2,200 sq. ft. for 65' lots, and 2,400 sq. ft. for 75' lots
- Provided for garage enhancements for all of the homes: two required from a list of six options (similar to Forest Brook)

The applicant did not revise the fence specifications to provide for a cap rail along the top of the wood fences. Staff notes that the applicant has previously provided for this requirement in Colby Crossing Phase 1 and is proposing it in Phase 2 of that development as well. The applicant also did not provide a requirement for aggregate driveways, but stated to staff that it would be provided as an option to individual homebuyers.

Staff would also like Council to be aware that the undivided cross-section proposed for River Birch does not match the divided cross-section for River Birch on the other side of Mitchell (as approved with The View at The Reserve and Ladera at The Reserve) and suggests that Council possibly consider a requirement that the plans be revised to provide for a divided cross-section for the portion of River Birch that is to be built by the applicant, up until the development's entrance at Evert Street.

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

- Provide for a cap rail on the 6' board-on-board wood privacy fences as well as the 6' board-on-board wood fence with masonry columns
- Provide aggregate driveways for all homes or do not provide them at all, in order to ensure a consistent neighborhood aesthetic

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