

## STAFF REPORT

**Case Number:** N/A

**Request:** Seeking direction regarding potential city-initiated zoning amendments related to Planned Development Districts within the IH-35 corridor.

**Address:** IH-35 Corridor

**Lot Size:** ± 463 net acres

**Petitioner:** City of Farmers Branch

---

### **Planning and Zoning Commission:**

This item was brought forth to the Planning and Zoning Commission on November 12, 2018 for their feedback. The Commission concurred with the recommendations put forward by staff. In addition, the Commission requested that the information below be compiled and presented for each zoning application:

- A map showing existing uses within each district.
- A summary of uses and properties that would become non-conforming as a result of the proposed zoning amendments.

Subsequent to the discussion with the Commission and based on further review, staff has modified the lists of proposed prohibited uses to include all auto related uses that are intensive or require outdoor storage on both the east and the west sides of the IH-35 corridor.

### **Purpose:**

Following direction received from City Council, staff has conducted a review of PD-24, PD-25, PD-32, PD-70, PD-86, and PD-97, all Planned Development (PD) zoning districts located within the IH-35 corridor. The purpose of this review has been to identify uses that are not in keeping with the anticipated longer term vision for the corridor based on feedback received from Council related to a market study conducted earlier in 2018 for the corridor.

Additionally, given Council's concern regarding the time consideration needed for conducting a long range vision study (funded FY18-19), Council directed staff to conduct interim zoning amendments prior to initiating the Corridor Vision Study. The direction from Council has been to limit all-terrain vehicles (ATV) and similar related uses, outdoor storage, and other uses that may not be indicative of higher quality office, retail and restaurants that are desired along the corridor.

The purpose of this agenda item is for staff to present its recommendations and obtain feedback and further direction from the Council prior to moving forward with potential zoning amendments.

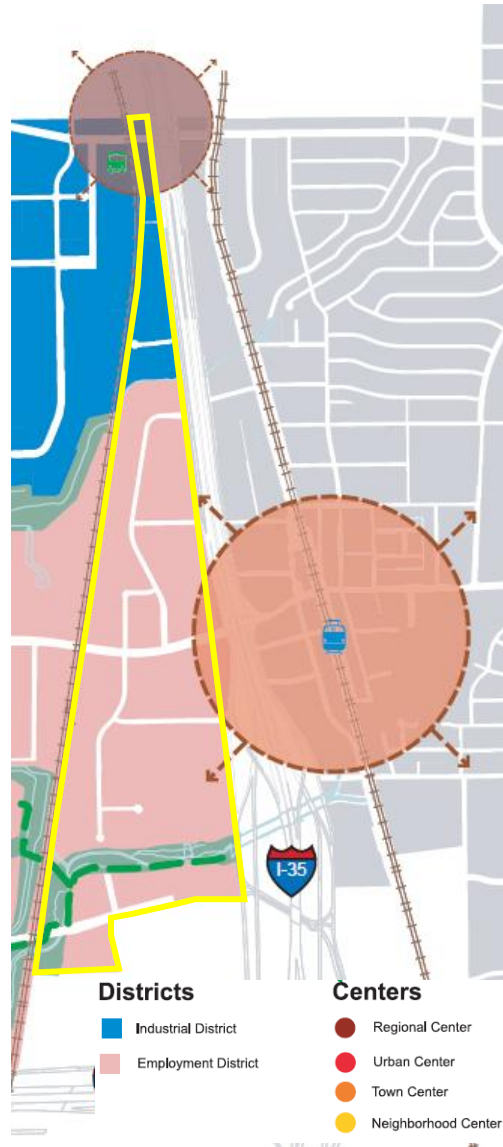
### **Study Area:**

The Study Area is shown on Attachment A, in which proposed amendments will be considered for the IH-35 corridor. The corridor is bounded by the City of Dallas to the south; City of Carrollton to the north; the Rock Island and Pacific Railroad on the west; and generally the eastern boundary of PD-70, PD-86, and PD-32. Six PD districts are located within the corridor, they are: PD-24; PD-25; PD-32; PD-70; PD-86; and PD-97.

## Policy Context:

### *West Side Plan*

The West Side Plan envisions the development of employment and industrial districts. Study Area lands have been identified in each district and are described in more detail below.



#### *Industrial District:*

The industrial district is located in the northern portion of the Study Area, and was established primarily based on the existing uses within the Valwood Industrial Park. The goal for industrial districts is to create successful environments for many forms of business activity, while keeping the area transit accessible, respectful of the park-like setting and completely integrated with the adjacent employment district of the West Side.

A regional center is located in the northern portion of the study area at Valwood Parkway and IH-35, in order to take advantage of heavy automobile traffic intersections which are desirable for retail and restaurant uses. The regional corridor also acts as a gateway into Farmers Branch. This gateway is seen as an opportunity to strengthen the image of the City; therefore, it is important that uses within this area reflect the desired image of the City.

#### *Employment District:*

The employment district is located south of Cooks Branch Creek and extends to the southern City limit. The employment district places an emphasis on the continuation of development of high quality office and research and development uses. The area is viewed as having the capacity to accommodate larger footprint buildings. The goal is to create a successful environment for many forms of business and retail activity, while keeping the district walkable, transit accessible, respectful to the natural environment, and integrated with the elements of the mixed-use centers.

Furthermore, given the Town Center designation of the nearby DART station, the Plan recognizes the opportunity to expand land uses and design elements to the area west of IH-35 at Valley View Lane.

Although the West Side Plan is 15 years old, as it specifically relates to the properties along the IH-35 corridor, staff believes there are opportunities to limit land uses that may not be otherwise consistent with the Plan's recommendations. However, given the age of the Plan and the desire to re-envision future opportunities along the corridor, incremental or limited changes should only be considered at this time until a new vision can be established for the corridor.

## Central Area Plan

Adopted in 2012, the Central Area Plan covers the portion of the Study Area that is east of IH-35. The Central Area Plan identifies Study Area lands as being primarily within the IH35-E District and the DART Station District, these two districts are described in more detail below.

### *IH35-E:*

The IH35-E District is primarily industrial/office warehouse in nature today yet has service retail uses adjacent to the frontage road. The Central Area Plan recognizes as the DART Station District develops, redevelopment within the IH35-E district will likely become more viable particularly as structures reach the end of their use life. Future regional retail, restaurant, and entertainment development may be appropriate in this area.

The Plan also discusses the future expansion of the freeway as an opportunity to improve physical appearance along this major travel way. It goes on to state that many of the existing retail and commercial buildings along this corridor are auto-related businesses, and redevelopment will provide the opportunity for regional retail development.

### *DART Station District:*

The DART Station District is guided by the 2012 Conceptual Masterplan and Station Area Code for the area. The intention of the plan is to create a more urban, walkable neighborhood that would serve and function as the “downtown” of Farmers Branch. A broad mix of uses is anticipated within the DART station area including retail, residential, office and public space. The area will serve as a more urban, pedestrian friendly environment.

Residential portions of this district are currently mixed, consisting of new development and aged housing stock. The area is viewed as being quite walkable due to its proximity to transit, parks and

schools.

At the time the Central Area Plan was written, much of the DART station area was vacant or underdeveloped, with several auto related buildings and commercial buildings in poor condition. New urban style mixed use development containing retail, office and residential uses is envisioned for the neighborhood.



## Proposed PD Amendments:

The Study Area is comprised of six PD districts, and staff is proposing to amend four districts to prohibit uses that are not compatible with Council's direction. The proposed amendments take into consideration the current comprehensive planning policy context, existing development form within the PD's, as well as Council's direction. The scope of the amendments is narrow given the anticipated Corridor Visioning Study to be initiated during 2019. Rather, staff has approached the proposed amendments with the goal of facilitating the continuation of existing uses that represent the spirit and intent of the area to the largest extent possible, while prohibiting those uses that have been found to become inappropriate at this time given Council's direction. Once a new comprehensive vision for the corridor has been established, a more comprehensive review of uses allowed within each of the PD districts can be undertaken.

It is important to note that hotels and motels are uses that are allowed with an SUP in several of the PD districts, with the exception of PD-86 (Station Area Code) where the use is allowed by right. Staff has highlighted these uses on Attachment B for your review, as these uses have been a matter of interest most recently. At this time staff is not recommending prohibiting hotel or motel uses within the corridor given the current SUP requirements, but also due to the form based code zoning that exists within PD-86.

*A review and recommendations for each PD district within the study area is below.*

### *PD-24:*

PD-24 is located on the west side of the IH-35 corridor, south of Valley View Lane. The district allows for uses consistent with the Light Industrial (LI) district of the Comprehensive Zoning Ordinance (CZO), except as provided for within the ordinance. A complete list of uses within this district is found on Attachment B.

The West Side Plan calls for the area to be developed into a future employment district, and outlines that high quality office and research and development uses would be appropriate. To date, new development has included industrial and warehouse uses. The proposed amendments would allow the current development form to continue while prohibiting those uses that may include outdoor storage or may be of an intensity that is not consistent with the current development form. This will allow the current development form to continue while prohibiting those uses that are most in conflict with the vision of the West Side Plan, and are closer to the anticipated direction of the upcoming vision for the IH-35 corridor. The uses proposed for consideration to be prohibited within PD-24 are noted below.

PD District	Uses to be Prohibited
<b>PD-24</b>	Public utility shop or storage Public building, shop or storage Auto or motorcycle sales and repair Engine & motor repairing Petroleum products storage –wholesale Transfer, storage & baggage terminal Commercial parking lot for cars General repairs (garage and auto repair) Brake and alignment Tune-up ignition carburation Muffler, shock absorbers Upholstery, tops, fabric, carpet, seat covers Tires, batteries and accessories

	Paint & body repair shop Enclosed auto storage Manufacture or assembly of auto / trucks new Re-building of auto parts (engine, transmission, etc.)
--	---

### PD-25

PD-25 is located on the west side of the IH-35 corridor, north of Valley View Lane. The district allows for uses permitted by right in the Light Industrial (LI) district of the CZO; only the auto related repair and service uses are allowed with an SUP within this district. A complete list of uses within this district is found on Attachment B.

The West Side Plan calls for the area to be developed into a future employment district and outlines that uses would include high quality office and research and development uses. With exception of Essilor's campus expansion, development in the area has not been consistent with this vision and has included industrial, warehouse and manufacturing development. The proposed amendments would restrict uses that include a large portion of outside storage and that represent a level of industrial development that is more intensive than the current development form. Additional uses such as "Reflexology Hand and Foot Massage" and "Tobacco Sales including e-cigarettes", have been included on the proposed prohibited list as they are not necessary uses supportive of the district.

Currently, SUP uses are restricted within PD-25 allowing for "Auto Related Repair and Service Uses" only; uses that are otherwise allowed within the LI district with approval of an SUP are not allowed within PD-25. Staff believes that some of the uses allowed with an SUP within the LI district may be appropriate within this area. However, staff believes it may be more appropriate to maintain a narrow scope on the amendments and wait until the Corridor Vision Study for the area is complete so that appropriate land uses for the area can be reconsidered in a more comprehensive manner. The uses proposed for consideration to be prohibited within PD-25 are noted below.

PD District	Uses to be Prohibited
<b>PD-25</b>	Bakery (wholesale) Building Material Sales Heavy machinery sales and storage Milk depot dairy or ice cream plant Petroleum products storage - wholesale Transfer storage & baggage terminal Cemetery or mausoleum Reflexology hand and foot massage Tobacco sales (including e-cigarette) Bottling plant Recycling plant (non-putrescent materials only) Welding or Machine shop Bus station or terminal Hauling or storage company (no outdoor storage) Private utility shop or storage Commercial parking lot for automobiles Tires and Wheel Accessories All Auto related repair and Service uses

## PD-32

PD-32 is located within the southeast portion of the Study Area (bordering the City of Dallas), and is part of the DART Station District as provided for in the Central Area Plan. Uses within this district are prescriptive in nature and staff does not believe that any of uses allowed by right or with a specific use permit would be in conflict with the Central Area Plan recommendations at this time or any future anticipated vision for the corridor. Staff is recommending that no amendments are made to PD-32.

## PD-70

PD-70 is located east of IH-35 and runs from Havenhurst Street northward to the northern City limit. The ordinance is divided into two sub districts, the General Business Sub-district and the Freeway Sub-district. A full list of uses allowed within each sub-district is found in Attachment B, and a review of each district is below:

### *General Business Sub-district:*

The intent of this sub-district is to accommodate small to moderate scale industrial and commercial enterprises and to minimize the visual and functional conflicts between the non-residential uses within the sub-district and the single family residential uses abutting it. Due to limited visibility of the area from IH-35, it may be appropriate to continue to allow some outdoor storage given the industrial and commercial uses allowed. Staff is proposing that the uses in the table below be prohibited as they are not consistent with the recommendations of the Central Area Plan, and the direction received from Council. Once the Corridor Vision Study is complete, a more comprehensive review of the uses allowed within this sub-district may be necessary given the light industrial and warehouse and distribution uses that area allowed today. The uses proposed for consideration to be prohibited within PD-25 are noted below.

PD District	Uses to be Prohibited
<b>PD-70: General Business Sub district</b>	Commercial parking lot or garage Motor vehicle repair or parts installation of any type Motor vehicle sales or rental of any type

### *Freeway Sub-district:*

The intent of this sub-district is to provide for a broad range of complementary commercial, light industrial, retail trade and office uses which can take advantage of the accessibility and visibility afforded by IH-35. The sub-district is designed to cultivate a high quality development environment which will enhance the public image of the community. Its primary purpose is to attract and maintain viable land uses which will serve to revitalize the freeway corridor and encourage long-term economic investment.

Staff recommends that the uses below be prohibited from the district. The Central Area Plan views the area as being an opportunity for future regional retail development. Prohibiting the uses below could potentially increase the prospect for regional retail uses to locate here and ensure that the area begins to move in the direction of the long term vision for the area. Council has also specifically raised concerns about the impact of these uses on the area, as outlined below. Similar to the General Business Sub-district, a comprehensive review of the uses allowed with this sub-district may be appropriate upon conclusion of the Corridor Vision Study given the industrial,

warehousing and distribution, and wholesale trade uses that are currently allowed. The uses proposed for consideration to be prohibited within the Freeway Sub-district are noted below.

PD District	Uses to be Prohibited
<b>PD-70: Freeway Sub district</b>	Any permitted use having outdoor storage or display (except as may be permitted by other City codes and ordinances) Commercial parking lot or garage Motor vehicle repair or parts installation of any type Motor vehicle sales or rental of any type

## PD-86

PD-86 is the Station Area Code which applies to the DART Station and surrounding area. The form based code is designed to foster a vibrant town center for Farmers Branch through a lively mix of uses. The code provides the specific means to implement the Central Area Plan vision for the development and redevelopment of all properties in the Station Area. Additionally the uses currently allowed within this zoning district are not anticipated to conflict with any future anticipated vision for the area. At this time staff is not recommending any amendments to this district. Uses that require SUP and prohibited uses are listed in Attachment B.

## PD-97

PD-97 is located in the southwest corner of the Study Area, west of IH-35. The area is identified as employment district in the West Side Plan. A complete list of uses permitted in the ordinance are listed in Attachment B.

Staff has found that several uses within the district conflict with the long term vision of the area to contain more office/business park uses. Staff anticipates that removing these uses will have little impact on the current development form in the area, and that the remaining uses allowed are more closely aligned with the recommendation of the West Side Plan and any anticipated future vision for the corridor. The uses proposed for consideration to be prohibited within PD-97 are noted below.

PD District	Uses to be Prohibited
<b>PD-97</b>	Bakery wholesale Building Material Sales Heavy machinery sales and storage Milk depot dairy or ice cream plant Petroleum products storage - wholesale Transfer storage & baggage terminal Cemetery or mausoleum Reflexology hand and foot massage Tobacco sales (including e-cigarette) Bottling plant Recycling plant (non-putrescent materials only) Welding or Machine shop Bus station or terminal Hauling or storage company (no outdoor storage) Private utility shop or storage Commercial parking lot for automobiles

	Heavy Construction Equipment Rental Self storage facility Trailer rental and sales Extraction storage of sand, Caliche, Stone, or Gravel Mining Storage or Mining Wastes Outside sales (Permanent) Retail Store consisting Primarily of Specialty and Novelty Items Batching Plant (Permanent) Asphalt or Concrete Dump or Sanitary fill area Railroad Freight Terminal Electrical Generating Plant Sewage Treatment Plant Boat Sales Commercial Parking lot for Trucks Enclosed Vehicle Storage Facility
--	---

### **Next Steps:**

In order to complete the proposed amendments the following steps will be taken:

- Further refine proposed amendments following direction from Council.
- Initiate the zoning process on the western side of IH-35 with city-led applications for amendments to PD-25, PD-24 and PD-97.
- Initiate the zoning process on the eastern side of IH-35 with city-led applications for amendments to PD-70.

### **Conclusion:**

Staff has reviewed each of the six PD districts found within the IH-35 Study Area. The review has focused on the identification of uses that are in conflict with current long range planning policies and future anticipated visions for the corridor, as well as the direction provided by Council. Staff is recommending changes to uses in four PD districts. In each of these PD districts, staff has consistently recommended that uses related to vehicle sale, storage and repair be prohibited. In addition, staff is recommending that additional uses be prohibited where their removal is anticipated to have a positive impact on the area, and bring the area closer to compliance with current policy and the anticipated future vision for the Corridor.

### **Staff Recommendation:**

Staff recommends Council provide direction regarding the proposed zoning amendments.

### **Attachments:**

1. Attachment A – IH-35 PD Districts Map
2. Attachment B – Summary of Uses Table