



# **INFORMATION MEMORANDUM**

TO: Mayor and City Council

FROM: Charles S. Cox  
City Manager

DATE: January 31, 2019

SUBJECT: Ordinance 3553 – Zoning change for two lots within Planned Development District No. 88 (PD-88). The first lot is proposed to be changed from Commerce District to Mid-Density District within Planned Development District No. 88 (PD-88). The second lot is proposed to be changed from Office-1 District to Mid-Density District within Planned Development District No. 88 (PD-88).

The first lot is approximately 19.51 acres in area and is located along the south side of the future extension of Mercer Parkway, approximately 420 feet east of Commerce Street.

The second lot is approximately 7.14 acres and is located at the southwest corner of Wittington Place and Senlac Drive.

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## **Existing Zoning/Zoning History:**

**PD-88, also known as the Mercer Crossing Code**, was established in 2006 with Ordinance No. 2868, and at the time of creation it included primarily the undeveloped area west of the I-35 corridor and south of Valley View Lane comprising approximately 875 acres. The Mercer Crossing Code was designed to foster a setting for economic growth and diverse urban neighborhoods in a sustainable mixed-use pattern. A series of vibrant, diverse urban centers were proposed to be integrated with employment and commercial districts (as well as recreational opportunities).

**The Mid-Density District** within PD-88 was created in 2012 to allow multi-family residential development consisting of 3 to 4 story buildings and with a typical density between 20 and 35 dwelling units per acre. The Mid-Density District does not allow single-family development. The Mid-Density District within PD-88 was approved with Ordinance No. 3190.

**The Office-1 District** within PD-88 was created in 2014 to allow office uses for a property approximately 39 acres in area, located in the area south of Wittington Place, west of future extension of Senlac Drive and north of future extension of Mercer Parkway. The property was subject to a zoning change from Urban Center Reserve District to Office-1 District, and was approved with Ordinance No. 3255. An office development was proposed at that time to be developed in two phases. Phase one consisted of the northern lot, a 15.5-acre portion of the larger 39-acre parent tract, and was developed as an office building (approved with Resolution No. 2014-32). The remaining 23.5 acres of the larger parent tract did not develop as office uses.

In 2015, an approximate 267-acre tract was rezoned from PD-88 to **Planned Development District No. 99 (PD-99)** to provide for and encourage development that contains a compatible mix of residential and commerce uses in close proximity to one another, thus allowing single-family residential lots.

In 2017, approximately 55 acres was rezoned from PD-88 to **Planned Development District No. 100 (PD-100)** (former GNB site) to provide for and encourage development that contains a mix of residential uses, thus allowing single-family residential lots (Ordinance No. 3480).

As a result of the adoption of PD-99 allowing single-family uses, the applicant (Billingsley Company) revised their initial 39-acre master plan development from office to multi-family residential uses. During 2016, the applicant rezoned a portion of the remaining 39-acre property to PD-88 Mid-Density District, thereby facilitating the expansion of what is known today as The Brickyard residential community. Below is a summary of The Brickyard Phases of development and current entitlements:

- **Phase 1 and 2** are located at the northeast and northwest corners of Senlac Drive and Wittington Place, and extending southward along the east side of Senlac Drive.

The Detailed Site Plan for Phase 1 was approved with Resolution No. 2014-098 in 2014. Phase 1 is approximately 11 acres and contains 397 dwelling units. Phase 1 is currently built and occupied.

The Detailed Site Plan for Phase 2 was approved with Resolution No. 2017-056 in 2017. Phase 2 is approximately 12 acres and contains 446 dwelling units. Phase 2 is currently under construction.

- **Phase 3, 4 and 5** are located at the northwest corner of Senlac Drive and future extension of Mercer Parkway and are comprised of approximately 23.5 acres. Phases 3, 4 and 5 are entitled for 698 dwelling units.

The applicant, Billingsley Company, is proposing to rezone two lots, consisting of approximately 19.51 acres and 7.14 acres respectively, in order to continue the development of The Brickyard community, a multi-family residential development. The lots will be developed as Phase 6 and

Phase 7 of The Brickyard and will contain approximately 768 dwelling units total. The Mid-Density District within Planned Development District No. 88 (PD-88) is specifically designed to allow and provide for higher density multi-family residential development. This request includes Special Exceptions and modifications to the PD-88 Regulating Plan that are incorporated within the requested zoning change.

- **The first lot, corresponding to Phase 6**, is approximately 19.51 acres in area and is located along the south side of the future extension of Mercer Parkway. This property is currently undeveloped. The applicant is requesting to rezone this property Commerce District to Mid-Density District within PD-88 in order to allow 590 dwelling units.
- **The second lot, corresponding to Phase 7**, is approximately 7.14 acres and is located at the southwest corner of Wittington Place and Senlac Drive. The second lot is a smaller portion of a larger parent tract (15.5 acres in area) that is currently developed as Phase 1 of the Office-1 District. The lot is currently a portion of the surface parking lot for the existing office building, and this lot is proposed to be rezoned from Office-1 District to Mid-Density District within PD-88 to allow 178 dwelling units.

#### **Adjacent Zoning Districts and Land Uses:**

The first lot, corresponding to Phase 6:

Direction	Zoning District	Land Use
<b>North</b>	PD-88 Mid-Density District	A portion of the lake and a vacant property; located across the future extension of Mercer Parkway
<b>South</b>	PD-88 Commerce District	Showroom and warehouse building under construction; located across Farmers Branch Creek
<b>East</b>	Farmers Branch city limit	Warehouse and office business park; located across Farmers Branch Creek and Chicago, Rock Island, and Pacific Railroad
<b>West</b>	PD-88 Commerce District	Vacant property

The second lot, corresponding to Phase 7:

Direction	Zoning District	Land Use
<b>North</b>	PD-88 Mid-Density District and PD-100	Multi-family building currently under construction for Phase 2 of The Brickyard development; located across Wittington Place and future Kensington single-family neighborhood
<b>South</b>	PD-88 Mid-Density District	Vacant property; will be Phases 3 through 5 of The Brickyard multi-family development

<b>East</b>	PD-88 Mid-Density District	Multi-family buildings currently under construction for Phase 2 of The Brickyard development; located across Senlac Drive
<b>West</b>	PD-88 Office-1 District	Office building and parking lot

### **Proposed Conceptual Site Plan:**

The applicant included a Conceptual Site Plan with the request.

**The first lot, corresponding to Phase 6**, is proposed to contain 590 dwelling units within 2 buildings. The buildings are proposed to be 4 stories in height and will be totaling approximately 939,278 sf in area.

Each building will contain a parking garage. 966 parking spaces will be provided for Phase 6, with a ratio of 1.7 parking spaces per dwelling unit. Approximately 899 parking spaces will be located within the two garages and the remaining 97 spaces will be surface parking. PD-88 requires 1 and 1/8 parking spaces per residential unit, out of which 1/8 shall be provided as shared parking; thus 664 parking spaces are required for Phase 6. The proposal complies with PD-88 parking requirements.

**The second lot, corresponding to Phase 7**, is proposed to contain 178 dwelling units within 9 buildings. A portion of Building 1, 6,400 square feet, is proposed to be developed for retail uses. The 9 residential buildings are proposed to be a combination of 2 and 3 stories, and will be totaling approximately 259,921 sf in area. The parking garage is proposed to be 2 stories in height and approximately 32,152 square feet in area.

The proposed parking will be a combination of one parking garage, tuck-under individual parking garages and surface parking. 303 parking spaces will be provided for Phase 7 with a ratio of 1.7 parking spaces per dwelling unit. Approximately 82 parking spaces will be in the parking garage, 94 spaces will be provided in the tuck-under garages, and the remaining 99 spaces will be surface parking. PD-88 requires 1 and 1/8 parking spaces per residential unit, out of which 1/8 shall be provided as shared parking; thus 201 parking spaces are required for Phase 7. The proposal complies with PD-88 parking requirements.

All buildings will comply with the architectural and masonry requirements of PD-88. PD-88 requires that all building walls visible from public streets to be minimum 75% masonry material.

### **Issues for Consideration:**

The applicant is requesting 5 Special Exceptions with this zoning change.

**Special Exception #1** - According to PD-88 requirements, buildings are to be located along public streets at the Required Building Line (RBL) for a distance equivalent to 85% of street frontage. The RBL along Senlac Drive and future extension of Mercer Parkway is 15 feet measured from the property line. The purpose of the maximum setback/RBL is to have buildings define the street.

For the lot corresponding to Phase 6, due to the existing flood control channel located along future Mercer Parkway, all buildings facing the street will be setback a minimum 64 feet from the property line; the setback distance will vary depending on the width of the flood control easement.

For the lot corresponding to Phase 7, the buildings will be setback at a minimum 11 feet and a maximum 29 feet distance from the property line, due to the slight curvature in the Senlac Drive alignment.

**Special Exception #2** - PD-88 requires a street wall 6 to 8 feet high along any RBL that is not occupied by buildings along public streets. The purpose of the street wall is to continue a defined building façade/edge along the street/RBL. For the lot corresponding to Phase 6, no wall is proposed along Mercer Parkway due to the distance of which the buildings are setback.

**Special Exception #3** - PD-88 requires all buildings within the Mid-Density District to be 3 to 4 stories in height. For the lot corresponding to Phase 7, the proposal includes building that will be 2 stories in height.

**Special Exception #4** - PD-88 requires that the ground story finished floor elevation of the buildings to be a maximum 18 inches above the sidewalk. The purpose of this requirement is to keep the building finish floor at a comparable level to the adjacent sidewalk if the building were to be located at the RBL, thus allowing the building to be complementary with the public realm. Due to the buildings being proposed to have a wide setback from the sidewalk, this requirement is not germane to this site layout.

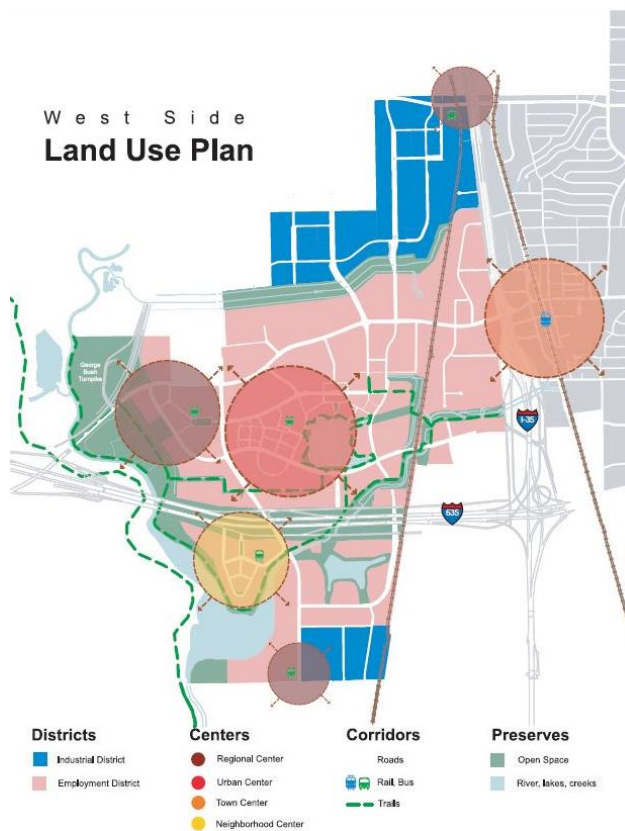
**Special Exception #5** - PD-88 allows monument signs for residential development within the Mid-Density District and specifies that only one monument sign may be located on each street frontage, if the property has multiple street frontages. The applicant is proposing two monument signs along each of the three streets, Wittington Place, Senlac Drive and Mercer Parkway.

Considering the rezoning and development activity within the last years that has transformed the development and land use patterns within PD-88, the quality and scale of this development, and the constraints of the lot configuration and placement – coupled with the fact that the site is now surrounded by single family and multi-family uses – staff believes that the requested Special Exceptions are consistent with surrounding development and the proposed site layout is comparable to that which was approved for Phases 1 through 5 of The Brickyard development.

Staff is in support of all Special Exceptions.

*(Continued on next page)*

## Comprehensive Plan Recommendation:



The 2003 West Side Plan designates the subject property as Employment District as provided for on the Future Land Use Map. This goal of the district was to create successful environment for many forms of business and retail activity, while keeping the district walkable, transit accessible, respectful to the natural environment, and completely integrated with the elements of the mixed-use centers.

The proposed zoning request is partially consistent with the Plan recommendation because it proposes to create a walkable area that is respectful to the natural environment. While the proposed zoning request is not consistent with the mix of uses proposed within the Employment District, as designated on the Future Land Use Plan, given the significant change in land use patterns as a result of more recent zoning changes allowing single-family and multi-family residential uses, staff believes it is appropriate to deviate from the Future Land Use Plan and West Side Plan recommendations.

## Thoroughfare Plan and Street Types:

The 2013 Thoroughfare Plan includes Knightsbridge Road to be extended to connect from Luna Road, south of LBJ Freeway, to Senlac Drive, north of LBJ Freeway, through an underpass under LBJ Freeway. The Thoroughfare Plan designates this new street to be 4 lane-divided with an 80-foot wide right-of-way. The City decided to abandon the plans for the construction of this street, and portions of previously dedicated right-of-way within other private properties have been abandoned. Today, portions of the street right-of-way exist through the lot corresponding to Phase 6. The applicant plans to abandon the street right-of-way before developing the property. Staff is in agreement with abandoning this street right-of-way.

### *Wittington Place:*

Wittington Place is built with a 4-lane undivided roadway, adjacent to the lot corresponding to Phase 7. No additional right-of way is required for this street. The street is best aligned with PD-88 Edge 1 Street.

***Senlac Drive:***

The portion of Senlac Drive connecting Wittington Place to the future extension of Mercer Parkway is built with a 4 lane divided roadway, adjacent to the lot corresponding to Phase 7. No additional right-of way is required for this street. The street is best aligned with PD-88 Edge 3 Street.

***Mercer Parkway:***

With the creation of PD-99, the street type for the portion of Mercer Parkway between Luna Road and Commerce Street was amended according to the design needs of the adjacent residential development. The street cross-section provides for a 4-lane divided roadway with a 100-foot right-of-way. This portion was built according to the approved PD-99 standards. The applicant will be responsible for building the extension of Mercer Parkway adjacent to the lot corresponding to Phase 6, continuing the existing street configuration.

**Master Trails Plan:**

The 2015 Citywide Trails Master Plan recommends that a shared use 10 to 12-foot wide trail be provided along Mercer Parkway and Senlac Drive. Recently, the City approved a 12-foot wide regional veloweb trail connecting Farmers Branch DART station to the Campion trail that includes portions along LBJ frontage road, Commerce Street and Mercer Parkway, thus reconfiguring the Trails Master Plan recommendations.

The developer is proposing to provide a continuous trail network throughout The Brickyard development that will connect to the projected regional veloweb. The developer already installed 10-foot trails throughout Phases 1 and 2 and is proposing to continue that network in the future phases. For Phase 6, the developer is proposing to install an 8-foot trail generally along the west property line connecting the regional veloweb to the south along LBJ and the trail along the north side of Mercer Parkway. The developer will install sidewalks along all public streets. The proposed trail connections comply with the Trails Master Plan vision and the City's initiatives on the west side.

**School Site:**

A Memorandum of Option Exchange Agreement exists between the applicant and the Carrollton - Farmers Branch Independent School District for the western 9 acres of the lot corresponding to Phase 6. The option will expire on August 26, 2019. The applicant agreed to include the expiration of the Option Exchange Agreement as a condition for development of the lot corresponding to Phase 6. In other words, the property cannot be developed as multi-family until such time when the agreement has expired with the school district.

**Public Response:**

On January 4, 2019, 25 zoning notification letters were mailed to the surrounding property owners and to Dallas and Carrollton - Farmers Branch Independent School Districts. A zoning notification sign was also placed on the site on the same day. Additionally, the required public hearing notice

was published in the Dallas Morning News on January 21, 2019. As of January 31, 2019, letters in favor representing ten adjacent properties have been received by the city.

**Recommendation:**

On January 14, 2019, the Planning and Zoning Commission voted unanimously to recommend approval of the Zoning change, including the Special Exceptions, as presented in Ordinance No. 3553.

Possible Council Action:

1. Motion to adopt Ordinance No. 3553.
2. Motion to adopt Ordinance No. 3553 with the following modifications ...
3. Motion to deny Ordinance No. 3553.
4. Motion to continue discussion at the next meeting.

**Applicable Zoning and Development Case History:**

Date Approved	Case Number	Description
9/11/2018 Ordinance No. 3512	18-ZA-06	PD-100 amended to change the conditions for acceptance and approval of applications for use and development of the property. Considered by Planning and Zoning Commission on 7/16/2018.
12/12/2017 Ordinance No. 3480	17-ZA-09	PD-100 was created with the rezoning of 55 acres from PD-88 to the newly created PD-100. Includes: Development Standards, Building Envelope Standards, Street Standards, Conceptual Site Plan, Typical Lot Setback and Coverage, Conceptual Building Elevations, Street Classification Map and Street Cross Sections. Considered by Planning and Zoning Commission on 11/27/2017.
4/18/2017 Resolution No. 2017-056	17-SP-01	Detailed Site Plan for The Brickyard Phase 2. Considered by Planning and Zoning Commission on 3/27/2017.
3/7/2017 Ordinance No. 3429	16-ZA-07	PD-99 amendment to restate the development and use regulations and eliminate the proposed school site included in the Verwood neighborhood. Includes: Development Standards, Building Envelope Standards, Street Standards, Conceptual Site Plan, Typical Lot Setback and Coverage, Conceptual Building Elevations, Street Classification Map and Street Cross Sections. Considered by Planning and Zoning Commission on 2/13/2017



4/19/2016 Ordinance No. 3361	15-ZA-05	West side of future Senlac Drive and north side of future Mercer Parkway was rezoned from Office-1 District to Mid-Density District within PD-88, for The Brickyard Phases 3, 4 and 5. Includes a Conceptual Site Plan. Considered by Planning and Zoning Commission on 2/22/2016.
3/15/2015 Ordinance No. 3359 (replaced)	15-ZA-04	PD-99 was created with the rezoning of 267 acres from PD-88 to the newly created PD-99. Includes: Development Standards, Building Envelope Standards, Street Standards, Conceptual Site Plan, Typical Lot Setback and Coverage, Conceptual Building Elevations, Street Classification Map and Street Cross Sections. Considered by Planning and Zoning Commission on 2/8/2016.
11/4/2014 Resolution No. 2014-098	14-SP-18	Detailed Site Plan for The Brickyard Phase 1. Considered by Planning and Zoning Commission on 10/13/2014.
9/2/2014 Ordinance No. 3300	14-ZA-07	Northwest and Northeast corners of Senlac Drive and Wittington Place were rezoned from Commerce District to Mid-Density District within PD-88, for Phases 1 and 2 of The Brickyard development. Includes a Conceptual Site Plan. Considered by Planning and Zoning Commission on 8/11/2014.
7/15/2014 Ordinance No. 3291	14-ZA-05	Adding the Subsection "Signage" for Mid-Density District within PD-88 to include monument signs. Considered by Planning and Zoning Commission on 6/23/2014.
4/15/2014 Resolution No. 2014-032	14-SP-03	Detailed Site Plan for Office-1, Phase 1, located at the southwest corner of Senlac Drive and Wittington Place. Considered by Planning and Zoning Commission on 3/24/2014.
2/4/2014 Ordinance No. 3255	13-ZA-03	The Office-1 District within PD-88 was created, with the rezoning of 39 acres located at the southwest corner of Wittington Place and Senlac Drive. Includes: Building Envelope Standards, Conceptual Site Plan, and Street Types. Considered by Planning and Zoning Commission on 1/13/2014.
11/5/2013 Ordinance No. 3249	13-CP-01	Thoroughfare Plan update. Considered by Planning and Zoning Commission on 10/28/2013.

7/17/2012 Ordinance No. 3190	12-ZA-04	The Mid-Density District within PD-88 was created. Includes: Development Standards, Conceptual Site Plan, and Street Types. Considered by Planning and Zoning Commission on 5/14/2012.
8/21/2006 Ordinance No. 2868	06-ZA-02	875 acres on the west side were rezoned from Planned Development Districts Nos. 24, 50, 60, 61, 72, 77, 78 and 85 to PD-88, known as Mercer Crossing Code, a form-based code, that originally contained three types of districts: Commerce, Urban Center, and Urban Center Reserve. Includes: Regulating Plan, Street Types and Cross-Sections and Building Envelope Standards. Considered by Planning and Zoning Commission on 7/10/2006.