



INFORMATION MEMORANDUM

TO: Mayor and City Council

FROM: Charles S. Cox
City Manager

DATE: May 7, 2019

SUBJECT: Conduct a public hearing and consider adopting Ordinance No. 3570 amending Planned Development No. 86 (PD-86) relating to the allowable uses, street types, and administration provisions within the district, approximately 143.4 acres generally located on the north and south sides of Valley View Lane and east of IH-35; and take appropriate action.

Background:

This is a city-initiated zoning amendment to Planned Development No. 86 (PD-86) as it relates to allowable uses within the district. Staff is also proposing amendments to street types and the administration provisions within the district.

Proposed amendments to allowable uses are based on City Council direction to amend uses within the Interstate 35 (IH-35) corridor. Staff has reviewed PD-86 along with the other Planned Development Districts within the IH-35 corridor (PD-24, PD-25, PD-97, PD-70, and PD-32), based on Council direction, existing land use policy, existing development form, and the anticipated future vision for the corridor. Additionally, staff is proposing to allow breweries by right within a limited area of the zoning district.

This application also includes a request to amend the street type for Vintage Street, west of Bee Street and east of Goodland Street. Additionally, an amendment to the administration provisions of PD-86 as it relates to notification procedures for special exceptions is also proposed.

This zoning request is being brought forward concurrent with proposed amendments to PD-70 also located along the east side of the IH-35 corridor. Amendments to PD-24, PD-25, and PD-97 were approved by Council on March 5, 2019.

Existing Zoning/Zoning History:

PD-86 was initially established in 2005 (Ordinance No. 2800/ Station Area Code), rezoning lands from PD-70 to PD-86. PD-86 is a form-based zoning code that places emphasis on the development form, providing for a more predictable built environment and streetscape. During 2012, PD-86 was amended based on a market conditions assessment of new development in order to facilitate development within the Station Area. Since 2012, two amendments have been made. Ordinance No. 3383 amended the street type for Vintage Street between Bee Street and Goodland Street from Street 66 to Street 58, and Ordinance No. 3434 amended the street type for Bee Street south of Valley View Lane.

PD-86 is located within the IH-35 corridor and is generally bound by Havenhurst Street to the north; Harry Hines Boulevard/IH35 frontage road on the west; Farmers Branch Lane on the south; and Rawhide Creek, Valley View Lane, and the rear property line of properties on Nestle Street on the east.

Adjacent Zoning Districts and Land Uses:

Direction	Zoning District	Land Use
North	PD-70: Comprised of two sub-districts, the Freeway Sub-district and General Business Sub-district allowing retail, commercial, light manufacturing and warehouse uses.	Office, warehouse, retail
South	PD-32: Allows office and light industrial uses.	Undeveloped
East	One Family Residence District 6 (R-6). One Family Residence District 4 (R-4). PD-79: Allows for single family residential uses. PD-36: Allows for single family residential uses.	Residential
West	IH-35 Highway	Highway

Proposed Zoning Amendment:

Allowable Uses and Street Types:

As stated previously, the proposed amendment to PD-86 is part of a larger rezoning process for the IH-35 corridor to prohibit uses that are not compatible with Council's current direction. While no uses are proposed to be prohibited within PD-86 Council has directed staff to amend the allowable uses within the district specifically as it relates to hotel uses.

PD-86, also known as the Station Area Code, 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.

Council has directed staff to bring forward an amendment to PD-86 requiring a specific use permit (SUP) for hotels within PD-86. If approved, this amendment would require Council approval for any hotel application that may come forward within the district. This approval process would allow increased Council oversight to ensure any hotel proposal meets the development requirements of PD-86, considers any potential land use adjacency impacts, and whether the requested use facilitates implementation of the city's long range policies. In addition to the amendment to hotels within PD-86, staff is recommending one additional amendment to allowable uses and one amendment to the street types within PD-86.

Staff is recommending breweries be added to the Limited and Prohibited Uses section of PD-86 as a use to be permitted by right within a limited area identified on the Regulating Plan. Breweries are currently prohibited within PD-86 due to having a manufacturing component associated with the use; industrial and manufacturing uses of any kind are currently prohibited within PD-86. The area in which breweries are proposed to be allowed also coincides with the two existing overlay districts (or portion thereof), the beer and wine sales overlay which allows retail sales for off premises consumption, and the alcoholic beverage (on-premises) overlay district which allows on-premises consumption.

Staff is also recommending an amendment to street types as outlined in the Regulating Plan of PD-86. Staff is proposing that Vintage Street, west of Bee Street and east of Goodland Street, be amended from Street 66 to Street 58. Currently Vintage Street is designated Street 66 from the DART railway line east to Bee Street, Street 58 between Bee Street and Goodland Street, and Street 66 east of Goodland Street. This proposed amendment would result in the length of Vintage Street being designated Street 58, resulting in a more cohesive streetscape once development occurs. Although staff has a pending development application that would benefit from the proposed street type amendment, regardless of that development application, it is appropriate to have a continuous street type.

Street 58 has the same number and width of travel lanes as Street 66; however, the streetscape area outside the travel lanes is narrower (11 feet wide compared to 15 feet wide). Street 58 includes pocket parking which is alternated with landscaping rather than a dedicated parking lane which is required of Street 66.

In contrast with other companion zoning amendments within the IH-35 corridor, no uses are proposed to be prohibited within PD-86. As a result, no uses will become non-conforming as a result of the proposed amendment.

Administrative Amendments:

Staff is proposing three administrative amendments to improve the consistency and ease with which PD-86 is administered and implemented.

The administration provisions for special exceptions in PD-86 currently requires both a 10-day notification of landowners within 200 feet of the area for which the special exception is requested and a 15-day notice of the public hearing published in the official newspaper of the City of Farmers Branch prior to the Planning and Zoning Commission considering the request. Staff is proposing to amend the notification requirement for special exceptions to require only the notification of landowners within 200 feet of the area for which the special exception is requested, and omit the newspaper notification requirement prior to Planning and Zoning Commission consideration of the request. This amendment will ensure that those landowners who are most affected are notified of the public hearing, while simplifying and streamlining the notification requirement so that implementation is improved.

Staff is also proposing to update PD-86 to consolidate all previous amendments to the zoning district in addition to the proposed amendments previously discussed. These previous amendments include amendments to the Regulating Plan – Street Types (Ordinance No. 3383), and the addition of the Bee Street south of Valley View Lane street type (Ordinance No. 3434). If this proposed ordinance is adopted, then it amalgamates the proposed and previous amendments to the Code in order to improve the ease with which the ordinance can be interpreted and implemented. Five ordinances will be rescinded if the proposed ordinance is approved.



Comprehensive Plan:

The Central Area Plan, adopted in 2012, identifies PD-86 as being within the 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.

Public Response:

On March 29, 2019, 302 zoning notification letters were mailed to the property owners within PD-86, to surrounding property owners within 200 feet of the area being rezoned, as well as to the Carrollton-Farmers Branch and Dallas school districts as required local and state law. In addition, staff mailed 52 courtesy notices to tenants/businesses within PD-86 per Council's direction. Six zoning notification signs were posted throughout the subject area on March 29, 2019. Additionally, the required public hearing notice was published in the Dallas Morning News on April 12, 2019. Staff has received one letter in opposition of this zoning request.

Recommendation:

On April 8, 2019, the Planning and Zoning Commission unanimously recommended approval of the Zoning change as presented in Ordinance No. 3570.

Possible Council Action:

1. Motion to adopt Ordinance No. 3570.
2. Motion to adopt Ordinance No. 3570 with the following modifications ...
3. Motion to deny Ordinance No. 3570.
4. Motion to continue discussion at the next meeting.

Applicable Zoning and Development Case History: *(most recent to oldest)*

Date	Case Number	Description
12/10/2018	N/A	Staff presented to the City Council recommendations for amendments within the IH-35 corridor. Council concurred with the recommendations brought forth by staff. In addition, Council requested that PD-86 be amended to require a special use permit for hotels.
11/12/2018	N/A	Staff presented to the Planning and Zoning Commission with recommendations for amendments within the IH-35 corridor. The Commission concurred with the recommendations. In addition, the Commission requested that a map showing existing uses within each district and a summary of properties that would become non-conforming as a result of the amendments, to be provided at the time of rezoning.
06/19/2018	N/A	City Council received a presentation on the IH-35 Corridor Market Study Analysis. The study outlined future opportunities for development within the corridor based on current and projected future demand. City Council directed staff to conduct amendments 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.

03/21/2017 Ordinance No. 3434	17-ZA-02	Amended the regulating plan and street types for PD-86 by adding a street type for Bee Street south of Valley View Lane.
08/02/2016 Ordinance No. 3383	16-ZA-06	Amended the street types within the Regulating Plan of PD-86, changing the portion of Vintage Street between Bee Street and Goodland Street from Street 66 to Street 58.
04/03/2012 Ordinance No. 3184	12-ZA-02	Amended PD-86 including revising the use and development regulations.
08/11/2009 Ordinance No. 3050	09-ZA-02	Amended the Regulating Plan, Urban Design Plan, Street Type Plan and associated text of PD-86.
13/06/2005 Ordinance No. 2800	04-ZA-09	Established PD-86 also known as the Station Area Code.