



# **INFORMATION MEMORANDUM**

TO: Mayor and City Council

FROM: Charles S. Cox  
City Manager

DATE: September 21, 2020

SUBJECT: Consider approving Resolution No. 2020-126 for a Detailed Site Plan amendment for an attached single-family development on an approximately 0.75-acre lot located at 2620 Valley View Lane; and take appropriate action.

---

## **Background:**

The subject 0.75-acre property is located approximately 170 feet east of Rawhide Drive on the south side of Valley View Lane. A detailed site plan was approved by City Council on June 18, 2008 for an attached single-family development on the subject site and concurrently with the adoption of Planned Development District No. 93 (PD-93). Since the detailed site plan approval, there has not been any development activity on the site until recently. In December 2018, the property owner submitted building permit applications for three buildings consisting of a total of 14 attached single-family dwelling units. Permits were issued in November 2019 and the attached single-family dwelling units are currently under construction.

This request is to amend the approved detailed site plan to allow for modifications to the site, and includes requests for special exceptions to the development standards related to screening, setbacks, and sidewalks. Uses proposed will remain as attached single-family. The site is located within PD-93 which allows for attached single-family uses and special exception requests. Additionally, PD-93 delegates approval authority of special exceptions to the Planning and Zoning Commission, with final detailed site plan approval to City Council.

## **Subject Property:**

Site acreage: Approximately 0.75 acres

Location: 2620 Valley View Lane; generally 170 feet east of Rawhide Drive and on the south side of Valley View Lane.

### **Proposed Development:**

The applicant is proposing modifications to the approved detailed site plan. The use of the property, attached single-family, and the general layout and improvements that were previously approved will remain the same. The modifications proposed are primarily to setbacks, sidewalks, screening and proposed property lines for each dwelling unit

At the time the detailed site plan was approved during 2008, the applicant was proposing to plat the subject property as one lot, instead of having each individual dwelling unit on its own platted lot. However, since that time the applicant has revised the plan and is proposing to plat each individual dwelling unit on its own lot which is not uncommon for single-family attached developments. Therefore, the proposed detailed site plan shows 15 lots; 14 residential lots for each attached single-family dwelling unit and an HOA lot (consisting of the driveway/fire lane and open space). Given that the property is proposed to be subdivided for each dwelling unit, some of the required setbacks are no longer being satisfied as it relates to the front, side and rear yard setback for each lot.

The approved detailed site plan proposed an 8-foot wide sidewalk along Valley View Lane and a 5-foot wide sidewalk along the creek on public property, from the southwest corner of the subject property and 300 feet south to the pedestrian bridge. The proposed detailed site plan proposes to reduce the sidewalk along Valley View Lane to four feet and eliminate the sidewalk to the pedestrian bridge.

Lastly, the proposed detailed site plan proposes modifications to required screening along the east and south property lines. The approved detailed site plan shows an 8-foot masonry wall along the east property line. Additionally, an 8-foot masonry wall is also shown along the south property line with 50 feet from the west property line being wrought iron fencing (for visibility to the creek and park). The detailed site plan proposes an 8-foot decorative fence along the east property line and no masonry wall along the south property line. Along the south property line, the existing trees are proposed to be preserved and landscape screening to be planted.

The proposed modifications to the detailed site plan do not comply with the development standards of PD-93. Therefore, the applicant is requesting special exceptions. Each special exception request is discussed in further detail below in this report.

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

<b>Direction</b>	<b>Zoning District</b>	<b>Land Use</b>
<b>North</b>	One-Family Residence District-4 (R-4)	Oran Good Park (City Park); across Valley View Lane
<b>South</b>	Planned Development District No. 79 (PD-79)	One-Family Residential
<b>East</b>	Planned Development District No. 26 (PD-26)	Office

<b>West</b>	Planned Development District No. 86 (PD-86)	Gussie Field Watterworth Park (City Park) and Rawhide Creek
-------------	--	--

**Access:**

The proposed development will be accessible from the following street:

- Valley View Lane – Prior to construction commencing on this site, there was an existing access drive from Valley View Lane near the east property line. The approved detailed site plan approved the relocation of the existing driveway further west along Valley View Lane, as shown on the proposed detailed site plan. There will be only one point of access for this development.

Due to the relocation of the driveway access, the existing median opening is proposed to be modified to align with the new driveway location. The westbound left turn lane will be extended westward and the median opening will shift to the west. This will require removal of an existing street light and an ornamental tree within the median. The developer is required to make these median modifications as part of the site improvements.

**Parking:**

Required Parking Ratio per PD-93	Total Minimum Parking Required	Total Parking Provided	Type of Parking Provided	Complies
<ul style="list-style-type: none"> <li>Use: 2 garage parking spaces/dwelling unit</li> <li>Use: 4 guest parking space</li> </ul>	32; 28 garage parking spaces and 4 guest parking spaces	32; 28 garage parking spaces and 4 guest parking spaces	Attached garages and surface parking	Yes

**Site Landscaping:**

% Required per Zoning	% Provided	Location Provided	Complies
15% of gross site area	25%	<p>Landscaping is proposed throughout the site, primarily along Valley View Lane, near the entry of each dwelling unit, and along the south property line. Landscaping will consist of Crape Myrtles, Pond Cypress, Mary Nell Holly and Dwarf Burford Holly.</p> <p>Additionally, eight existing trees are proposed to be preserved along the south property line.</p>	Yes

**Street Trees Required:**

Street Name	Minimum Number Required	Number Provided	Tree Variety/Type	Complies
Valley View Lane	2	7	Four crape myrtles and three pond cypress.	Yes

**Required Screening:**

PD-93 requires that an 8-foot masonry wall be provided along the east and south property lines. However, the detailed site plan proposes an 8-foot decorative wooden fence along the east property line and no masonry wall along the south property line. Existing trees are proposed to be preserved along the south property line and Mary Nell Holly installed along the entire south property line. The applicant is requesting special exceptions to the required screening, which are discussed in more detail below in this report.

**Buildings Elevations:**

Due to House Bill 2439, the City is not able to enforce exterior building material requirements. However, it should be noted that when the detailed site plan was originally approved, PD-93 required that a minimum of each exterior facade be a minimum 85% masonry; all buildings proposed with this detailed site plan amendment comply with the previously required exterior building requirements. The proposed building facades reflect the following masonry types and percentage provided.

Building Façade	Masonry Type Provided	Total % Provided	Complies
North	Brick	87%	Yes
South	Brick	85%	Yes
East	Brick	87%	Yes
West	Brick	87%	Yes

## **Special Exceptions:**

The applicant is requested the following special exceptions as described below. As stated previously, PD-93 delegates approval authority of special exceptions to the Planning and Zoning Commission. On August 31, 2020 the Commission approved all special exceptions with the exception of Special Exception #5; instead requiring a minimum 6-foot sidewalk along Valley View Lane and work with staff regarding the potential relocation of the fire hydrant and electric pole.

### ***Special Exception #1 – Section I.F.2.***

Planned Development Ordinance No. 93 (PD-93) establishes minimum setbacks for all buildings. The front yard setback is required to be ten feet from the property line along Valley View Lane. The side yard setback is required to be at least seven feet from the eastern property line and five feet from the western property line. The rear yard setback is required to be at least 20 feet from the southern property line.

The applicant is seeking approval of a special exception to the required setbacks for all residential lots, Lots 2-15. Specifically, the detailed site plan proposes:

- No side yard setback for all residential lots;
- No rear yard setback for Lots 2-5 and Lots 11-15;
- A 6-foot rear yard setback for Lots 6-10;
- No front yard setback for Lots 6-10;
- A 7-foot front yard setback for Lots 11-15; and
- Lots 2-5 are proposed to comply with the required front yard setback (10 feet).

Staff believes that the requested special exception is appropriate given that the site plan approved with the zoning amendment did not anticipate individual platted lots for each dwelling unit. The aforementioned required setbacks are conducive to all buildings being located on a single platted lot as shown on the approved detailed site plan. By allowing the reduction in required setbacks, future property owners of each dwelling unit will have ownership of the property in which the dwelling unit is located on. This modification will make this project a true attached single-family development. Whereas, the approved detailed site plan would have required each dwelling unit to be sold as condominiums, and the land would have had to have been owned in common ownership by all the dwelling unit owners. The original intent of the PD-93 zoning district is still being achieved as the physical location of the buildings on the property have not changed, and the buildings still technically remain in the location as shown on the approved detailed site plan – only the property lines have now been introduced.

### ***Special Exception #2 – Section I.J.2.and Section I.K.1.***

PD-93 requires an 8-foot masonry wall be installed generally along the southern property line. Within 50 feet of the western property line, the masonry wall is required to transition into an 8-foot tall wrought iron or metal fence in order to provide better visibility of the adjacent Rawhide Creek and city park. Additionally, shrubbery is required to be installed five feet on center, north of the masonry wall.

The applicant is seeking approval of a special exception to allow for the preservation of eight existing mature trees and installation of Mary Nell Holly screening shrubs to be provided along the southern property line in lieu of the masonry wall. The eight existing trees along the southern property line consist of the following: 22-inch Red Oak; 10-inch Pecan; 21-inch American Elm; 8-inch American Elm; two 8-inch Hackberry; 13-inch Pecan; and 44-inch Pecan. Between the existing trees, the applicant is proposing to install Mary Nell Holly shrubs which would be five to six feet in height and 24 inches wide at planting. The holly would be planted five feet on center between the existing trees.

Staff believes that the requested special exception is appropriate. The proposed landscaping provides the visual separation between the two residential uses, while also preserving the existing mature trees that would otherwise be removed with the installation of the masonry wall.

### ***Special Exception #3 – Section I.J.3.***

PD-93 requires an 8-foot solid masonry wall along the east property line.

The applicant is seeking approval of a special exception to allow for an 8-foot tall wooden fence along the entire east property line, due to existing site constraints and in order to preserve the existing 23-inch Pecan tree located on the property line.

Staff believes that the requested special exception is appropriate given that the wooden fence would provide the separation between the existing office use to the east and the attached single-family units. While the adopted development standards for PD-93 require the masonry wall to be installed by the residential development to buffer from the non-residential use to the east, the Comprehensive Zoning Ordinance (CZO) typically requires the non-residential use (i.e. the more intensive land use) to provide the required screening adjacent to one-family or two-family residence uses.

### ***Special Exception #4 – Section I.J.5.***

PD-93 requires that a 5-foot wide sidewalk be installed along the western portion of the site, and connect to the existing pedestrian bridge approximately 300 feet south of the property.

The applicant is seeking approval of a special exception to this sidewalk requirement so that no sidewalk connection to the pedestrian bridge is provided. The applicant has expressed concern with the cost associated in designing an engineered 5-foot sidewalk within public property given the existing slopes along Rawhide Creek.

Staff believes that the requested special exception is appropriate. While the sidewalk connection to the pedestrian bridge provides for additional pedestrian connections to the park, sidewalks are proposed with the development which provide the pedestrian connections to the neighboring park via sidewalks along Valley View Lane.

### ***Special Exception #5 – Section I.J.6.***

PD-93 requires that an 8-foot sidewalk be installed along Valley View Lane.

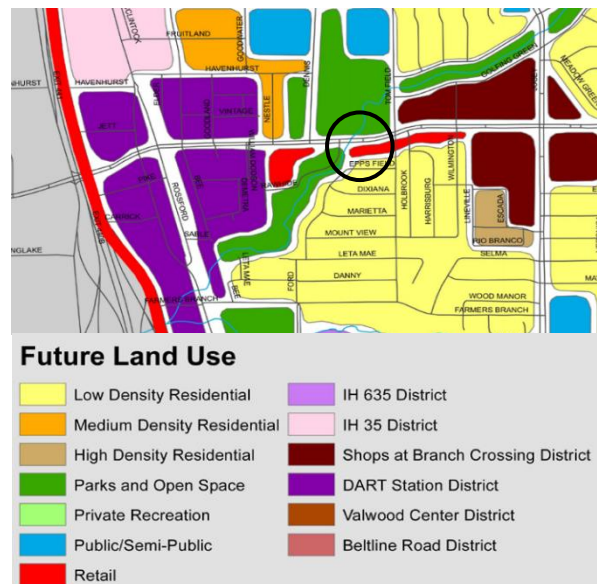
The applicant is seeking approval of a special exception to allow for reduction in the width of the sidewalk to four feet. The applicant has expressed concern that the proposed 4-foot sidewalk would be consistent with the sidewalks along Valley View Lane and would avoid the need to relocate an existing fire hydrant and electrical pole located within the right-of-way.

Staff believes that the requested special exception is not appropriate given that the 4-foot sidewalk is located back-of-curb to Valley View Lane. Valley View Lane is a six-lane divided arterial street that carries high traffic volumes. The proposed sidewalk will connect this development with the existing public park and Station Area to the west. Therefore, the sidewalk should encourage pedestrian traffic and walkability. At the time this property was rezoned in 2008, the Station Area Code and the city's goals for urban development based on pedestrian and transit-oriented development principles were already in place, hence the requirement for the 8-foot wide sidewalk. The existing fire hydrant and utility pole were known conditions prior to the development of the property.

### **Comprehensive Plan Recommendation:**

The Central Area Plan designates the subject property as Retail as provided for on the Future Land Use Map. This land use designation recommends this land use provide localized services for adjacent neighborhoods. Neighborhood retail areas are generally “one-stop” shop locations that are easily accessible and serves a population radius of one mile.

While the proposed development is not consistent with the plan recommendation, the existing zoning of the property allows for the proposed use. Additionally, PD-93 pre-dates the adoption of the Central Area Plan, which was adopted on August 21, 2012.



*(continued on next page)*

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

Date Approved	Case Number	Description
06/17/2008 Ordinance No. 2955	08-ZA-01 and 08-SP-04	Planned Development District No. 93 was adopted allowing for attached single-family or townhome development. An associated detailed site plan was approved with this ordinance.

**Recommendation:**

On August 31, 2020 the Planning and Zoning Commission considered this request and approved all requested special exceptions with the exception of Special Exception #5 related to the reduction to the required 8-foot sidewalk along Valley View Lane, and that the applicant be required to install a minimum 6-foot sidewalk along Valley View Lane and work with staff regarding the potential relocation of the fire hydrant and electric pole. Additionally, the Commission recommended to approve the Detailed Site Plan as described in Resolution No. 2020-126 (inclusive of the approved special exceptions).

**Possible Council Action:**

1. Motion to approve Resolution 2020-126.
2. Motion to approve Resolution 2020-126 with the following modifications...
3. Motion to deny Resolution 2020-126.
4. Motion to continue discussion at the next meeting.