

ZONING CHANGE

Case Coordinator: Loren Shapiro

GENERAL PROJECT INFORMATION

SITE ZONING: (LR-2) Local Retail with SUP-416 for a gas station

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	City of Lewisville	Single-Family Detached
SOUTH	PD-185 and PD-151 for the (CC) Corporate Commercial District	Gas Station, Restaurant and Retail, and Vacant
EAST	(CC) Corporate Commercial District	Vacant
WEST	PD-212 for the (LR-2) Local Retail District	Restaurants and Vacant

REQUEST: A request to rezone the subject tract to establish a new (PD) Planned Development to create development standards, to provide concept plans, and to allow a gas station, car wash, retail store in excess of 75,000 square feet, and parking on a separate lot, as a primary use, by right, and to repeal SUP-416.

PROPOSED USE: Retail

ACRES/LOTS: Approximately 17.2 acres/ 1 lot

LOCATION: Northeast corner of Parker Road and Josey Lane

HISTORY: The property is currently vacant and has never been platted.

On August 4, 2014 the property was annexed into the city. City Council also amended the Future Land Use Map designating the property Medium Intensity Commercial, rezoned the tract to (LR-2) Local Retail District and approved SUP-416 to allow a gas station on the same night.

COMPREHENSIVE PLAN: Commercial – Medium Intensity

TRANSPORTATION PLAN: Parker Road is classified as a (A6D) 6-Lane Arterial Divided Josey Lane is classified as a (A6D) 6-Lane Arterial Divided

OWNER: Ben Scott/HEB Grocery Company

APPLICANT: Jonathan Kerby/Kimley-Horn

STAFF ANALYSIS

PROPOSAL:

The request is to rezone 17.2-acres by establishing a (PD) Planned Development to allow a large grocer (retail in excess of 75,000 square feet), a gas station, car wash, and parking on a separate lot.

The PD will also establish development standards and provide conceptual plans for the property.

CURRENT ZONING REGULATIONS

1. The property is zoned (LR-2) Local Retail District with (SUP) Special Use Permit for a gas station (SUP-416).
2. Local Retail District allows retail uses by right. However, retail tenants exceeding 75,000 square feet, gas stations, car washes and parking lots on separate lots (without a building) require an approved (SUP) Special Use Permit.
3. Article XIV. Local Retail District limits the maximum height of buildings to 25 feet.
4. Article XXVI. Outside Storage and Display, of the Comprehensive Zoning Ordinance (CZO) states:
 - a. The area devoted to outside display shall not exceed five percent of the total floor area of the building occupied by the use to which such outside display is accessory.
 - b. Outside storage shall be screened from the view of any adjacent public street by a solid, opaque wall or fence of not less than six feet in height measured at the highest finished grade.
 - c. Vehicles, trailers, mobile machinery or equipment shall be permitted to exceed the height of such screening wall or fence, provided, however, that no vehicle, trailer, mobile machinery or equipment shall be used for, nor constitute, permanent storage.
5. Article XXIV. Off Street Parking, Loading, and Stacking requires 1 parking space for each 350 square feet of floor area, for retail, with a maximum 1 space per 250 square feet of floor area.
6. Article XXV. Landscape and Screening requires:
 - a. Two, three-inch caliper shade trees, 10-12 feet in height at the time of planting, for each 100 linear feet of street frontage.
 - b. Shade trees are prohibited from being planted under overhead or over underground utilities. All plant material planted under overhead or over underground utility lines shall be of such a stature and/or have such a root system so that they will not interfere with the integrity or operation of the utility facilities.
 - c. Any outdoor parking lot that contains 100 or more parking spaces shall provide not less than 10 percent of the interior of such lot, inclusive of maneuvering aisles, landscaped as follows: - One shade tree for each 10 parking spaces or fraction thereof;
 - i. All parking spaces shall be located within 100 feet of a tree that is located within the same parking area, measured from the trunk of the tree.

- d. A solid, opaque masonry screening wall, not less than six (6) feet in height, shall be provided and maintained along the property line of any parcel within the (LR-2) Local Retail District abuts any residentially zoned property.
- e. Waste receptacles shall be screened on all sides by a solid, opaque masonry wall not less than six feet in height. Receptacles completely hidden from view from any street, or a residentially zoned property shall not be required to provide enclosures.

ELEMENTS TO CONSIDER

- 1. The property is currently undeveloped and has been zoned (LR-2) Local Retail District since August 4, 2014. A Special Use Permit (SUP-416) was also approved for a gas station, the same day.
- 2. The rezoning request creates a PD and master plan proposing a 120,000 square foot grocery store, an accessory gas station and car wash, and a separate parcel for parking, allowing the uses by right instead of via SUP.
- 3. The grocer will also have a pharmacy (with a drive-through window) on the east side and a restaurant (with a drive-through) on the west side of the building.
- 4. Covered grocery pick-up spaces will also be provided, east of the building.
- 5. A site plan, landscape plan, and sample elevations for the buildings are provided with the PD. The car wash and gas station elevations shall be consistent with the architecturals of the main retail building.
- 6. Tract A requires 343 parking spaces. The site plan provides 613 parking spaces for Tract A. The site plan provides sufficient stacking for the restaurant, on the west side of the building, the pharmacy window, on the east side, and for the car wash.
- 7. Tract B will provide a 110-space parking lot, on a separate parcel, for the large grocer located on Tract A. The parking lot will be utilized by employees.
- 8. The parking demands for the grocer requires a significant amount of spaces due to the number of patrons that shop at the store. In response the PD allows the retailer to provide more parking than the maximum permitted to accommodate customers.
- 9. A Traffic Impact Analysis (TIA) was reviewed and provided sufficient mitigation for the site including but not limited to right turn deceleration lanes along Parker Road and Josey Lane. The applicant is working with TXDOT to install a signal for the median opening along Parker Road.
- 10. The proposed (PD) Planned Development would allow up to 20 percent outdoor display (instead of the maximum 5 percent) for merchandise at the front of the grocer, as the retailer utilizes such areas at their other locations. The site plan provides the outdoor display area shown cross-hatched.
- 11. Since produce and plants will be some of the products sold within the outdoor display areas, trees within landscape islands will be setback at least 200 feet from the front of the building in order to prevent birds from damaging the food and plant products.

12. The PD waives the foundation planting requirement for shrubs since plants will be sold in abundance at the front of the retailer in the display area.
13. The PD proposes allowing fencecrete (precast concrete) walls or other materials in-conformance with the Fence Ordinance and CZO for up to 12-feet in height in order to screen storage areas behind the building from single family homes adjacent and north, in the City of Lewisville.

There was not specific language, in the PD, indicating the minimum height of the wall. Therefore, staff is recommending modifying the PD text to add and clarify that the minimum height of the fencecrete wall adjacent to the single family homes shall be 8-feet.

14. All outdoor storage, including storage containers and waste receptacles will be located at the rear of the property, behind the building and out of view from the street. Therefore, the PD will not require storage areas and waste receptacles to be screened or within an enclosure, other than from the adjoining residential properties.
15. Landscaping.
 - a. The PD will also allow landscape islands every 12 parking spaces in a row, instead of every 10 due to the high demand of patrons shopping at the store and to accommodate more parking spaces.
 - b. The proposed PD will allow trees within 200 feet, instead of 100 feet from parking spaces since the number of parking spaces needed on the property are at a premium.
 - c. Two 3-inch caliper trees every 200 feet will be allowed within street buffers along Parker Road and Josey Lane, instead of the two trees every 100 feet.
 - d. The proposed PD reduces the overall minimum landscaping for the site from 15 percent to 10 percent to accommodate the additional parking.

CONCLUSION:

The proposed PD provides a master plan for a major regional grocer while addressing parking and traffic circulation for the large retailer. A TIA was reviewed and mitigation provided with the rezoning request. Staff recommends approval with the stated stipulations proposed in the PD.