

**ZONING CHANGE**

Case Coordinator: Michael McCauley

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**GENERAL PROJECT INFORMATION**

**SITE ZONING:** (LR-2) Local Retail District

	<b><u>SURROUNDING ZONING</u></b>	<b><u>SURROUNDING LAND USES</u></b>
NORTH	(LR-2) Local Retail District	Alley for Single-Family Residential
SOUTH	(LR-2) Local Retail District	Commercial and Offices
EAST	(LR-2) Local Retail District	Auto Service and Self-Serve Car Wash
WEST	(SF-8.4/16) Single-Family Residential District	Single-Family Residential

**REQUEST:** Approve a Planned Development to allow a proposed development to exceed the maximum allowed 40% building coverage and utilize alternate screening material

**PROPOSED USE:** Indoor Tennis Club (Fitness and Recreational Sports Center – Private)

**ACRES/LOTS:** 2.35-acres / 1 lot

**LOCATION:** 2763 East Trinity Mills Road

**HISTORY:** Undeveloped

**COMPREHENSIVE PLAN:** Commercial

**TRANSPORTATION PLAN:** East Trinity Mills Road is designated as an (AD6) Arterial 6-lane divided roadway.

**OWNER:** Richard Thomas

**REPRESENTED BY:** Jinting Chen / Ace Realty LLC

## **STAFF ANALYSIS**

### **REQUEST**

This is a request for approval to establish a Planned Development (PD) to allow a proposed development to exceed the maximum allowed 40% building coverage and utilize alternate screening material.

### **ZONING ORDINANCE REQUIREMENTS**

1. The (LR-2) Local Retail District limits building coverage to 40%. The building coverage is a percentage of the lot area which can be covered by buildings.
2. The City Council may authorize the creation of a PD District for developments on tracts of less than five acres when a determination has been made by the Planning and Zoning Commission that the area to be rezoned can accommodate development without adversely affecting adjacent properties, per CZO Article XIX. Planned Development District.

### **ELEMENTS TO CONSIDER**

1. The proposed 101,999-square-foot lot (approximately 2.35 acres) is limited to a 40,800-square-foot building coverage and the applicant is proposing a 46,800-square-foot building – exceeding the allowable building coverage by 6,000 square feet or 5.88%.
2. The six tennis courts will be located inside of the building.
3. The subject property is surrounded by existing development. Allowing a PD to accommodate the development without adversely affecting adjacent property owners appears accomplished with the proposal.
4. The applicant is proposing landscaping in lieu of a masonry screening wall on the north and west side of the property where a wall impacts the floodplain.
5. The property does not have frontage on a public street but does have street access via access easements.
6. On-site drainage is reviewed when construction documents are submitted for permitting.
7. The development shall be in general conformance with the attached exhibits.
8. Public comments were received and are included in this report. The written protest against the proposal was signed by 8.5 percent of the property owners of the area of the land immediately adjoining the subject property and extending 200 feet therefrom.
9. The topic of environmental concerns and drainage was presented by the neighboring residents and discussed during the Planning and Zoning Commission meeting.
  - a. Staff informed the Commission that any development proposal requires compliance with Carrollton's storm water ordinance and is part of staff's review when construction documents are submitted for review and permitting.

- b. The applicant delivered to staff, after the Commission meeting, two reports conducted in 2022, a Geotechnical Engineering Report and an Environmental Site Assessment (ESA) Report Phase I. Further, the applicant delivered a 2025 ESA Report Phase II.
  - i. Per the 2022 Phase I ESA, conducted to ASTM standards, no recognized environmental conditions, regulatory records, or historical evidence of contamination were identified, and no further investigation was recommended.
  - ii. Per the 2025 Phase II ESA, the report confirms what the Phase I report already indicated that there's no recognized environmental condition on the subject property.
  - iii. Absent documented releases or credible evidence to the contrary, there is no legal or technical basis to compel additional assessment.
  - iv. The residents' testimony remains unsubstantiated, and staff cannot, in good faith, require further testing without evidence to justify it.

## **CONCLUSION**

Staff believes the rezoning change is appropriate and the proposal should not adversely affect the surrounding properties.