

ZONING CHANGE

Case Coordinator: Michael McCauley

GENERAL PROJECT INFORMATION

SITE ZONING: PD-005 for the (LR-2) Local Retail District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	PD-005 for the (LR-2) Local Retail District	Big-Box Retailer (Walmart)
SOUTH	PD-005 for the (LR-2) Local Retail District	PGBT
EAST	PD-005 for the (LR-2) Local Retail District	Big-Box Home Improvement Retailer (Lowe’s)
WEST	(FWY) Freeway District	Retail and Restaurant Uses

REQUEST: An amendment to PD-005 to modify conceptual plans and revise development standards to allow a gasoline station (and without a Special Use Permit) for Tract 3 (approximately 21.08-acre Walmart location)

PROPOSED USE: Gasoline station

ACRES/LOTS: Approximately 21 acres / 1 lot

LOCATION: 1213 East Trinity Mills Road

HISTORY: The Planned Development (PD-005) was established in 1969 and amended numerous times since then.

On November 1, 1994, the PD was amended prohibiting gasoline sales and automobile related uses, including repair and service.

The PD was amended on September 7, 2004 for the approximately 54.6029 site providing for the (LR-2) Local Retail District with modified development standards.

PD-005 was last amended on September 14, 2021, for Dutch Bros. Coffee, also in front of Walmart.

The property was replatted in 2021.

COMPREHENSIVE PLAN: High Intensity Commercial

TRANSPORTATION PLAN: This section of East Trinity Mills Road is the service road for PGBT which is designated as a Controlled Access Highway.

OWNER: Walmart Real Estate Business Trust

REPRESENTED BY: David Upton / Kimley-Horn and Associates, Inc.

STAFF ANALYSIS

PROPOSAL

This request is an amendment to PD-005 to modify conceptual plans and revise development standards to allow a gasoline station (by right, without a Special Use Permit) for Tract 3 (approximately 21.08-acres - Walmart location).

ZONING

The property is zoned PD-005 for the (LR-2) Local Retail District. PD-05 has prohibited gasoline sales and automobile related land uses since 1994.

ELEMENTS TO CONSIDER

1. Highly visible corridors often aim for attractive, high-quality development to enhance the area's image. Auto-related uses can create visual blight.

Properties between Old Denton Road and McCoy Road are highly visible to westbound traffic on Trinity Mills Road, highlighting the importance of maintaining a clean, attractive, and positively contributing land-use character that reflects the City's desired image.

- a. In response, PD-005 was amended in 1994 to deliberately set the standard for regulating development and land uses along Trinity Mills Road when Walmart and Lowes were constructed on the properties in 1994 and 1997 respectively.
 - b. Specifically, a list of automotive-related land uses were intentionally prohibited in PD-005 by right or via Special Use Permit. The uses prohibited include “gasoline sales (as accessory or as a principle use)” and “gas service stations”.
2. Enforcement of the PD-005 zoning restrictions.

The former 7-Eleven convenience store, located at 2680 Old Denton (southeast corner of Old Denton Road and Raiford Road) was in operation without a gas station, as a result of restrictions in PD-005.

City staff has had several pre-development meetings with potential tenants who wanted to locate gas stations on the subject property or within PD-005, including the following:

- a. On August 12, 2014 city staff met with Murphy USA who requested a gas station on the subject property. Staff explained that PD-005 specifically prohibited the automotive uses. A planning application was not submitted.

- b. On November 27, 2018 staff met with representatives interested in placing a Walmart fueling station on the subject property. Staff explained the current PD-005 zoning restrictions and a planning application to amend the zoning was not submitted.
 - c. 1261 E. Trinity Mills (Lowes Outparcel – Northwest corner of Trinity Mills and Raiford). On October 24, 2023 city staff met with applicants interested in building a Murphy Express convenience store and gas station. The applicant did not apply for a rezoning change after being explained the PD-005 restrictions.
 - d. On August 27, 2025 staff met with the current applicant who proposed a Walmart fueling station along Trinity Mills, in-front of Walmart. Staff explained the current PD-005 zoning restrictions. However, the applicant applied for this rezoning request to consider allowing a gas station by right amending PD-05.
3. The proposed request amends PD-005 to allow a gas station by right.
- a. The applicant provided a site plan, landscape plan and elevations proposing a 1,454 square foot convenience store and 12 fuel pump stations beneath a canopy.
 - b. The kiosk will be perpendicular to (rather than facing) Trinity Mills Road with the front entry, display windows, and canopy facing west. The east side façade faces one-way westbound traffic and proposes to contain a blank wall with trellises and metal downspouts. The south elevation proposes to have the propane kiosk facing Trinity Mills along with the blank wall. The north façade, which does not face a street, will have a blank wall.

City staff identified the concerns regarding the location of the building and facades lacking architectural features facing the highly traversed westbound Trinity Mills Road. Staff directed the applicant to enhance the elevations with visibility to Trinity Mills Road, including the east and south sides of the building. However, the only improvements provided were in the form of a cornice on the top walls and a parapet extension to the top of the building prior to the P&Z meeting.

The applicant did provide revisions, after the P&Z meeting, adding medium gray striping on all sides of the building. The south and east elevations were modified adding blue to portions of the façade along with the Walmart spark on the east side. However, no additional architectural features were added nor additional landscaping on the east side of the building.

Since the applicant provided revised facades, prior to City Council, staff is recommending removing stipulation 4b requesting city staff review the facades prior to permitting.

- c. Most convenience stores and kiosk retail buildings have front entries and display windows facing the street and not perpendicular to roadways. The examples below provide convenience stores with gas stations which have front facing facades to the George Bush Turnpike (Trinity Mills Road):

- 1.) *Chevron Gas Station (constructed in 1985) – 1010 W. Trinity Mills Road – Front door and windows face the eastbound service road.*
- 2.) *Chevron Gas Station (constructed in 2006) – 2525 N. Josey Lane – Front doors, display windows, canopies and elevation enhancements face both Josey Lane and eastbound Trinity Mills Road.*
- 3.) *Shell Gas Station (constructed in 1988) – 2414 E. Trinity Mills Road – Front doors and windows display face the eastbound service road. Display windows also face towards Kelly Boulevard.*

- c. The proposed fuel loading area for the subject rezoning request will extend into a portion of the sodded area reducing the vegetative buffer along the divided driveway from Trinity Mills Road.
- d. The landscape plan provides sufficient screening along Trinity Mills Road and does add additional canopy trees along the divided entry driveway. However, the east elevation will only have Texas Sage to screen the blank wall.

Texas Sage is a shrub that grows up to 10 feet, but generally a lesser height, and would not sufficiently screen the back of the building from traffic on Trinity Mills Road.

- e. A Traffic Impact Analysis was provided and concluded that circulation and access provided from the existing divided driveway from Trinity Mills Road is sufficient. A westbound right-turn lane will further alleviate ingress traffic while reducing impact on egress from the gas station.

4. City Code Violations and Incidents.

- a. Since 2021, there has been an increased activity towards code violations (such as zoning, trash and debris, parking lot maintenance, environmental quality spills and discharges), and police calls, for theft, solicitor complaints, traffic complaints, motor vehicle theft, assault, suspicious activities, disturbances, and sexual assault. This is problematic because Walmart is one of two large anchor tenants generating the most traffic along Trinity Mills Road, between Raiford Road and Old Denton Road (the other is Lowe's). Police has stated that Walmart has consistently been their top location for calls for service and offenses, far outweighing any other big box store.

5. One written public comment was received in support.

CONCLUSION:

Staff recognizes the proposed gas station is typical for a Walmart. However, the Council-approved PD-005 plainly and purposefully prohibits the automotive uses, such as gas stations, to maintain a quality corridor image along the highly visible Trinity Mills Road and President George Bush

Turnpike. Additionally, city staff requested the applicant design the kiosk retail building to address visibility along westbound Trinity Mills Road. However, the applicant responded with little improvement to the building regarding the building location and façade enhancements needed along Trinity Mills Road. In conclusion, the gas station use and proposed site layout and design does not appear to demonstrate compatibility with the overall vision and goals of PD-005. Therefore, staff does not support the PD-005 rezoning request.