

ZONING

Case Coordinator: Christopher Barton

GENERAL PROJECT INFORMATION

SITE ZONING: (LI) Light Industrial District

SURROUNDING ZONING

SURROUNDING LAND USES

NORTH	Unincorporated Denton County (beyond 5' strip of Hebron and 5' strip of Lewisville)	Single family homes (Castle Hills)
SOUTH	Unincorporated Denton County (beyond 5' strip of Hebron and 5' strip of Lewisville)	Single family homes (Castle Hills, across Indian Creek)
EAST	Unincorporated Denton County (beyond 5' strip of Hebron and 5' strip of Lewisville)	Single family homes (Castle Hills, across Indian Creek)
WEST	PD-123 for the (SF-5/12), (SF-6.5/12) and (SF-10/18) Single Family Residential Districts and PD-123 for the (LR-2) Local Retail District	Single family homes and public elementary school (across Old Denton Road)

REQUEST: Approval of a change in zoning to single family residential to allow for development of a residential subdivision

PROPOSED USE: Approximately 314 single family homes

ACRES/LOTS: Approximately 94.4 acres/4 tracts (unplatted)

LOCATION: East side of Old Denton Road, north of Indian Creek.

HISTORY: The current zoning was established in February 1992. The land has never been platted into a lot of legal record. Except for its current use as a residence and "hobby farm," the site has never been developed.

COMPREHENSIVE PLAN: Industrial uses

TRANSPORTATION PLAN: Old Denton Road is designated as an (A8D) Eight Lane Divided Arterial. Windhaven Parkway as an (A6D) Six Lane Divided Arterial.

OWNERS: Craig Singer

REPRESENTED BY: Aaron Ketchand/Bright Realty LLC

STAFF ANALYSIS

PROPOSAL

A request to create a new Planned Development to allow for the development of a single-family residential subdivision.

The applicant is requesting multiple alternatives to the requirements of the Comprehensive Zoning Ordinance and Comprehensive Subdivision Ordinance.

CURRENT ORDINANCE REQUIREMENTS

The subject tract is currently zoned for the (LI) Light Industrial District. Development could therefore include many high-intensity commercial, warehouse, retail or distribution uses, but not any kind of residential uses. Note that the subject tract is almost completely surrounded by single-family residential development. Therefore, industrial uses at this location do not appear to be appropriate.

ELEMENTS TO CONSIDER

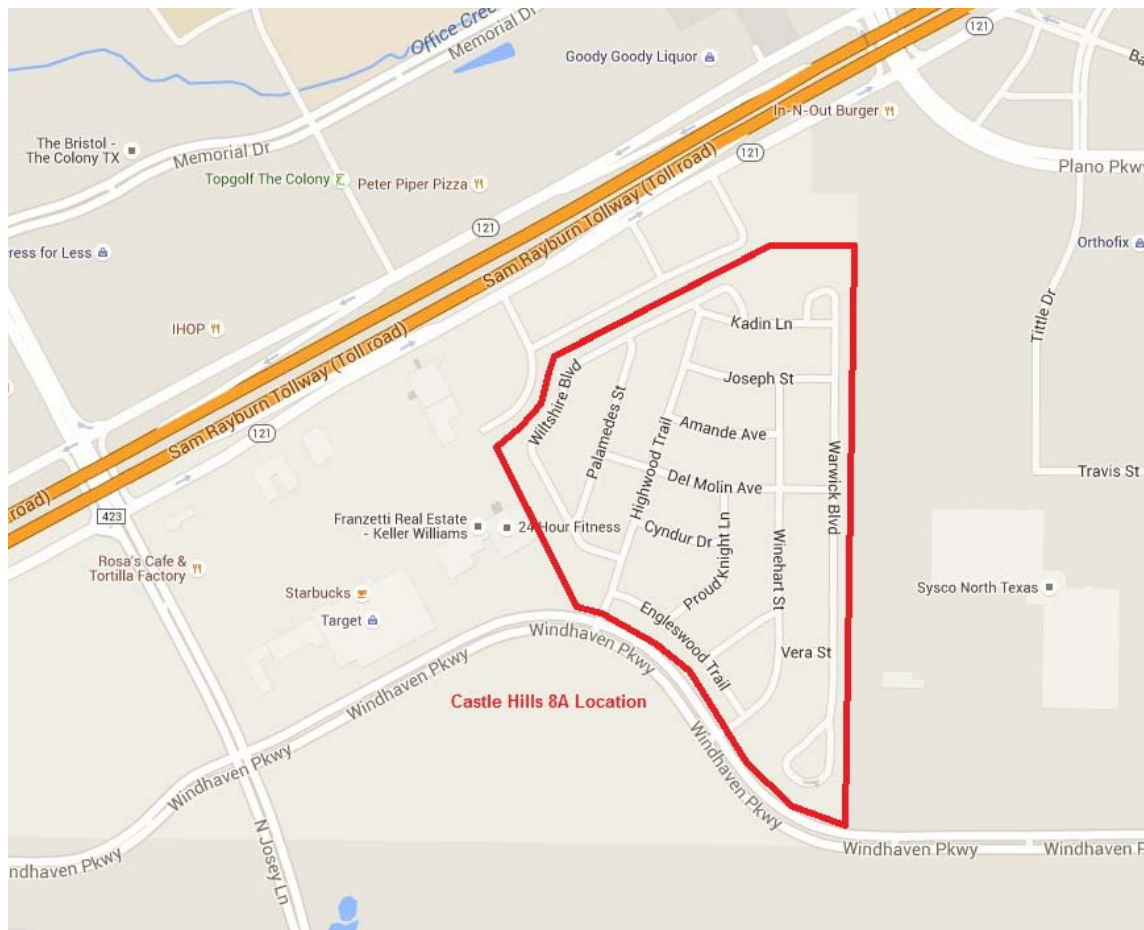
1. Of the total 94.4-acre tract, about 19 acres (20%) is encumbered by a flood plain and may not be developable. An additional approximately 12 (13%) acres is encumbered by a high-tension power transmission line easement or “cut off” from the bulk of the property by this easement and cannot be developed. Thus, about a third of the total property is undevelopable.
2. The exact amount of land in the flood plain which cannot be developed is unknown, because a complete engineering study has not been completed. The lots along the south side of (extended) Indian Run Drive (which may have another name in this subdivision) have purposely been designed with extra depth to allow for some change.
3. The existing pond near the north central portion of the site would be drained, filled and graded to provide for additional developable lots.
4. The proposed subdivision would be a part of the Castle Hills Homeowners Association, which is responsible for several maintenance items (such as annual trimming of street trees) and services (such as door-to-door mail delivery) which exceed the functions of any HOA in Carrollton. An HOA “write up” provided by the applicant is included later in this case report.
5. Homes will be subject to architectural controls established by the developer which exceed the minimum requirements of the City of Carrollton (e.g. façade masonry content). A copy of the Castle Hills Single Family Design Guidelines provided by the applicant is included later in this case report.

6. The developer is proposing to establish a Public Improvement District (PID) to assess a fee on homeowners to defray the costs of the subdivision improvements (water, sewer, drainage, streets).

SIMILAR PROJECT

The applicant has stated that a good example of the character of the proposed development can be found in Castle Hills, Phase 8A, with homes now being built. This subdivision is located on the north side of Windhaven Parkway, just east of Josey Lane (see location map below).

The Commission may wish to visit this subdivision. It consists of about 78 acres with 379 residential lots and 21 common area lots. The residential lots are in the 41- to 50-foot-wide range (although numerous corner and cul-de-sac lots are larger). There is an approximately two-acre neighborhood park, as well as several common area “open” or “green” space lots located in three street “islands” and following an existing natural gas line easement. Various drainage and utility easements have been placed in non-buildable common area lots, which provide some additional green space.



The applicant is requesting a number of alternatives to the standard subdivision design requirements. These are listed below (copied from the applicant's original application) with staff comments following in italics.

General:

1. Lot layout and usable open space amenity shall be as shown on the Concept Site Plan.

Because the flood study has not been completed, it is important to note that this Concept Site Plan is preliminary. Lot and street arrangement is subject to change as the flood study progresses. However, this is a good general idea of how a subdivision could be arranged and is the applicant's intent at this time.

2. No additional landscape buffer will be provided along Old Denton Road (FM 2281). Landscaping for this area will be within the Old Denton Road Right-of-Way.

City Council has not approved single family subdivisions in the recent past which do not include this element (see comparative table on Pages 13 and 14). There appears to be sufficient existing right-of-way to accommodate the landscaping buffer towards the south part of the development (in excess of 40 feet between the curb and property line), but the right-of-way gets narrower (to approximately 7 feet "back of curb") to the north.

COMMISSION RECOMMENDATION:

A minimum ten foot landscape buffer, as measured "back of curb" from Old Denton Road, shall be provided along the entire Old Denton Road frontage. A landscape license agreement for this buffer, where it encroaches into the public right-of-way, shall be executed between the City of Carrollton and the Castle Hills homeowners association.

3. The Castle Hills standard signage and screening walls shall be provided along Old Denton Road (FM 2281), as conceptually shown in Exhibit D.

The submitted images appear appropriate.

4. No alleys will be required.

City Council has not approved a single family subdivision in the recent past with lot widths less than 50 feet with no alleys (see comparative table on Pages 13 and 14, and also applicants request number 8).

5. All new trees to be included in the tree mitigation requirements. This shall include the street trees, buffer trees within Old Denton Road Right-of-Way, parkway trees, homebuilder trees on lots, etc.

No Tree Preservation Plan as required by Ordinance 3388 (Title V Land Usage, Chapter 155 Tree Preservation) has been received, so this request is difficult to evaluate at this time. Although the developable areas of the site are not heavily wooded, aerial

photography does show a number of mature shade trees near the existing ranch entrances (north and northwest portions of the site) and scattered around the house and barn compound. Presumably the developer plans to remove all of these.

The developer will require that each home install a “street tree” abutting the back of the street curb at the time of construction. Doing so may satisfy the mitigation requirement. Note that any such street trees must follow visibility regulations of the City of Carrollton (particularly at street intersections).

6. The requirement for a payment of a fee in lieu of dedication for park and recreation development shall be waived for this proposed development.

A park of approximately 1.2 acres is proposed near the eastern end of the subdivision, and significant “hike and bike” green space along the flood plain and power line easement of approximately 31 acres is proposed. If accepted by City Council, this would likely satisfy ordinance requirements for parkland dedication and no “fee in lieu of dedication would be required.

Article X Design of the Subdivision Ordinance sets a fee of \$300 per lot when public parkland is not dedicated and accepted by the City. Since this subdivision will have about 314 lots, the total estimated fee for the subdivision would be about \$94,200.

The developer plans that this subdivision will be a part of the Castle Hills Homeowners Association, with all the benefits this confers, including access to the Castle Hills recreational facilities. See image on page 16.

The 2014 Park Master Plan approved by City Council calls for additional park land in the northwest and northeast part of the city where there are not any neighborhood parks. Most neighborhood parks are 3 to 5 acres in size and fairly flat to allow for appropriate development.

Note that the decision on this is not, strictly speaking, a zoning issue, and the decision will ultimately be City Councils.

Lots and Homes

7. Maximum building coverage for single-family detached lots shall be 75% of the lot area.

City standard for the SF-5/12 district in the CZO is set at 55%. However, higher density lots have been approved: (Austin Woods, Quail Creek North). See comparative table on Pages 13 and 14.

COMMISSION RECOMMENDATION:

Maximum building coverage shall be 60% of the lot area.

8. Minimum lot width for single-family detached lots shall be 41 feet (as measured at front

building setback).

City Council has not approved a single family subdivision in the recent past with lot widths less than 50 feet with no alleys (see comparative table on Pages 13 and 14, and also applicants request number 4).

9. Minimum lot depth for single-family detached lots shall be 100 feet.

Exceeds the City standard for the SF-5/12 district of 90 feet.

10. Minimum lot area for single-family detached lots shall be 4,100 square feet.

City standard for the SF-5/12 district in the CZO is 5,000 sq. ft.

11. Minimum floor area of any dwelling unit shall be 1,600 square feet, exclusive of garages, breezeways, and porches.

Exceeds the City standard for the SF-5/12 district of 1,200 sq. ft..

12. Minimum front yard setback for single family lots shall be 11 feet provided however that unenclosed porches, chimneys, eaves, and similar architectural features, bay, or bow windows may encroach into this setback up to 4 feet. Minimum front yard setbacks shall also be subject requirements as detailed in the Design Guidelines.

City Council has approved front yard setbacks of 15 feet (Villas of Indian Creek and Villas of Wellington), provided that the garage door is set back further (typically an additional 3 - 5 feet). See also applicant's request number 15. Note that given the narrow width of the lots and the reduced setbacks requested, it is possible to envision a house encroaching into a visibility clip at a street intersection. Corner lots will have to be carefully evaluated at the time of subdivision.

COMMISSION RECOMMENDATION:

Minimum front yard setbacks for the livable area of any house shall be 11 feet, with no encroachments allowed.

13. Minimum side yard setback, abutting a street not designated as an arterial or collector on the Carrollton Transportation Plan shall be 11 feet, provided however that unenclosed porches, chimneys, eaves, and similar architectural features, bay or bow windows and sunrooms (being enclosed room no more than 15 feet in width and having glass on at least 50% of each encroaching face) may encroach into the setback up to 5 feet.

City standard for the SF-5/12 district is 15 feet.

14. Minimum rear yard setback shall be 15 feet.

Exceeds the City standard for the SF-5/12 district in the CZO of 10 feet.

15. Minimum garage door setback shall be 20 feet.

City Council has previously approved reduced front yard setbacks, so long as the garage door is set back further than the “livable area.” See also applicant’s request number 12.

16. All garage doors shall be a decorative wood paneled door, as conceptually shown in photos of typical garage doors in the typical photos.

City Council has required this of recent “front loaded” homes.

COMMISSION RECOMMENDATION:

Garage doors shall be a decorative wood paneled door, with no windows or glass allowed.

Accessory Buildings:

17. Accessory buildings containing bathrooms and/or kitchens are allowed, provided that no more than one water or electric meter is allowed per lot and no accessory building shall exceed 800 square feet in area.

City Council approved this concept for the Raiford Crossing development to accommodate market desires for outdoor/separate kitchens and “mother-in-law” suites.

18. Accessory buildings shall be architecturally similar to the main building and also will be required to comply with Castle Hills Single Family Design Guidelines and obtain written approval from the Castle Hills Architectural Review Committee.

This would appear to be a worthwhile stipulation.

COMMISSION RECOMMENDATION:

Accessory buildings containing bathrooms and/or kitchens shall not be allowed.

Streets:

19. 41 foot street Right-of-Way with 6 foot sidewalk and utility easements, 31 foot back-to-back pavement cross section.

City Council has approved a narrower street width in only one case: Raiford Crossing, in which all lots are served by alleys. See comparative table on Pages 13 and 14.

Note however that the developer plans to impose easements on the lots to accommodate some additional elements such as sidewalks and some utilities. Thus, the total “usable” width will exceed the standard city right-of-way width.

20. Street layout, block and cul-de-sac lengths, and general design shall be as shown on the Concept Site Plan attached.

Because the flood study has not been completed, it is important to note that this Concept Site Plan is very conceptual. Lot and street arrangement is subject to change as that study progresses. However, this is a good general idea of how a subdivision could lay out to maximize lot yield.

The subdivision ordinance limits blocks to 1,200 feet in length and cul-de-sacs to 600 feet in length. The Concept Site Plan does not appear to show any blocks exceeding the standard limit. There does appear to be one cul-de-sac of about 648 feet, but the "bulb" is in the high-tension power easement, meaning no lots could be placed there. Accordingly this "excess" of approximately 48 feet seems reasonable and could be approved by the Planning & Zoning Commission as part of subdivision approval.

21. On driveways, allow the radius or flair point at the street of any single family driveway to extend beyond the property line.

Due to the narrowness of the lots, certain lots at "elbows" and cul-de-sacs will be so narrow that their driveway "curb returns" (the curved pats that connect the driveway to the street) will extend in front of the neighboring lot. The Carrollton driveway ordinance does not allow this. However, if the requested zoning with narrow lots at these locations is approved, then any subdivision meeting this allowance will later have to be approved. If a subdivision is approved, staff will have little choice but to allow this encroachment. See also the applicant's exhibit on Page 24.

22. An "entry ribbon" consisting of decorative stained and pattern-stamped concrete shall be placed in each street intersecting with Old Denton Road. Said entry ribbon shall be no less than ten feet in depth and shall extend across the width of the street and shall generally align with the abutting sidewalk.

City Council has required this element of recently approved residential zoning changes.

TRAFFIC IMPACT ANALYSIS

The main entrance to the subdivision will be at the intersection of Indian Run Drive and Old Denton Road. This intersection is signalized. Extending Indian Run Drive eastward (which may have another name in this subdivision) will provide a total of four lanes (two in each direction) with a median. The intersection is currently signalized and the developer will install the fourth signal arm as part of the road extension.

As part of the development, a new “free right turn” lane from northbound Old Denton Road into the proposed subdivision will be constructed.

A second entrance to the subdivision is proposed at the intersection of Windhaven Parkway and Stone Circle Lane (just east of Old Denton Road), by extending Stone Circle Lane into the new subdivision. The intersection of Old Denton Road and Windhaven Parkway is signalized.

With the proposed improvements to the existing street network and the addition of a fourth leg at the signalized intersection of Old Denton Road and Indian Run, the capacity of the surrounding streets is sufficient to accommodate anticipated traffic generated by the proposed development.

SUPPLEMENTAL INFORMATION

RECEIVED AFTER THE COMMISSION MEETING

- A. In order to move quickly, the applicant has already submitted a preliminary plat application, which is scheduled to be considered by the Planning & Zoning Commission on December 3, 2015. This is only two days after the City Council meeting at which this zoning case will be considered.

As part of the regular review and processing of the preliminary plat, staff requested the dedication of additional right-of-way at the intersection of Old Denton Road and Windhaven Parkway to allow for the installation of a new right turn lane (from northbound Old Denton onto Windhaven).

Because this dedication will shift the westerly lot line of several lots to the east, the applicant is asking for reduced front and rear yard setbacks for those affected lots. On the current preliminary plat these lots are labeled as Lots 31, 33 and possibly 34. Approval of this request will remove the need for the applicant to redesign this portion of the subdivision, with the exception of the proposed right-of-way dedication.

- B. During the design of the preliminary plat, the applicant determined that several lots appeared too small to for the houses they were planning. After further investigation and discussion with staff, the number so affected were determined to be two: Lot 33, Block A (backing up to Old Denton Road near the northwest corner of the subdivision) and Lot 8, Block E, (on a street “elbow” about a block away from the first lot, more internal to the subdivision. See the image below showing the general location of these lots.

The applicant is requesting a further reduction in front yard setbacks (beyond what they are requesting for the subdivision as a whole) as follows:

Lot 33, Block A: additional two-foot reduction, such that the house will be 9 feet, and the garage door will be 18 feet from the front property line

Lot 8, Block E: an additional four-foot reduction in the front yard setback for the garage only, such that the house will remain at 11 feet from the property line, and the garage will be 16 feet from the property line.



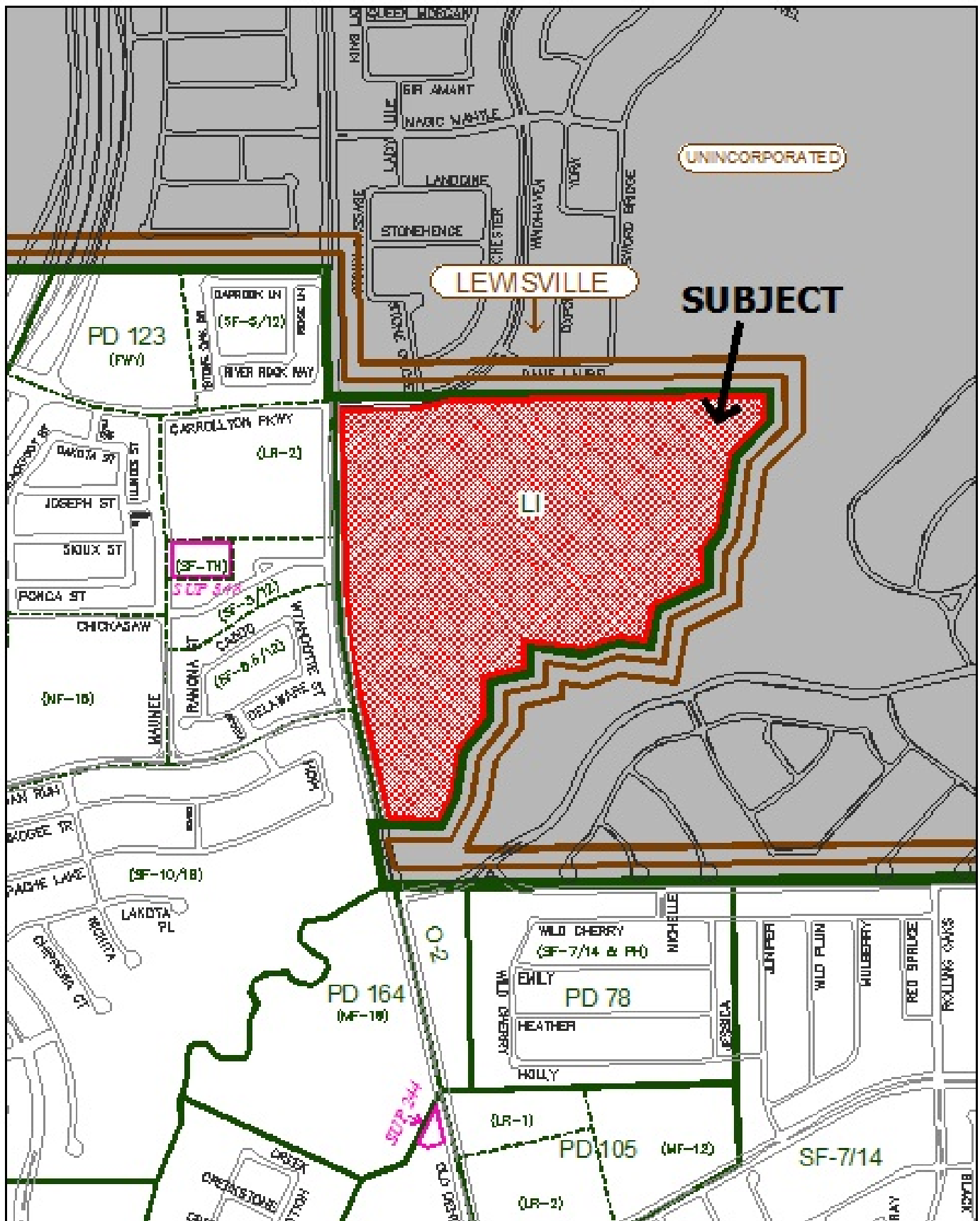
- C. Additionally, the applicant is requesting that the City Council waive the requirement for a tree survey, which is called for by Chapter 155 of the Carrollton Code of Ordinances.

There are a number of significant trees on the site which will be removed (mostly near the current ranch entrance on Old Denton Road and around the house compound). The applicant plans to have new trees planted for each new home. It may be that the new trees will be sufficient to mitigate the loss of the existing ones (per the ordinance). However, without the tree survey staff cannot definitively say whether or not this is the case.

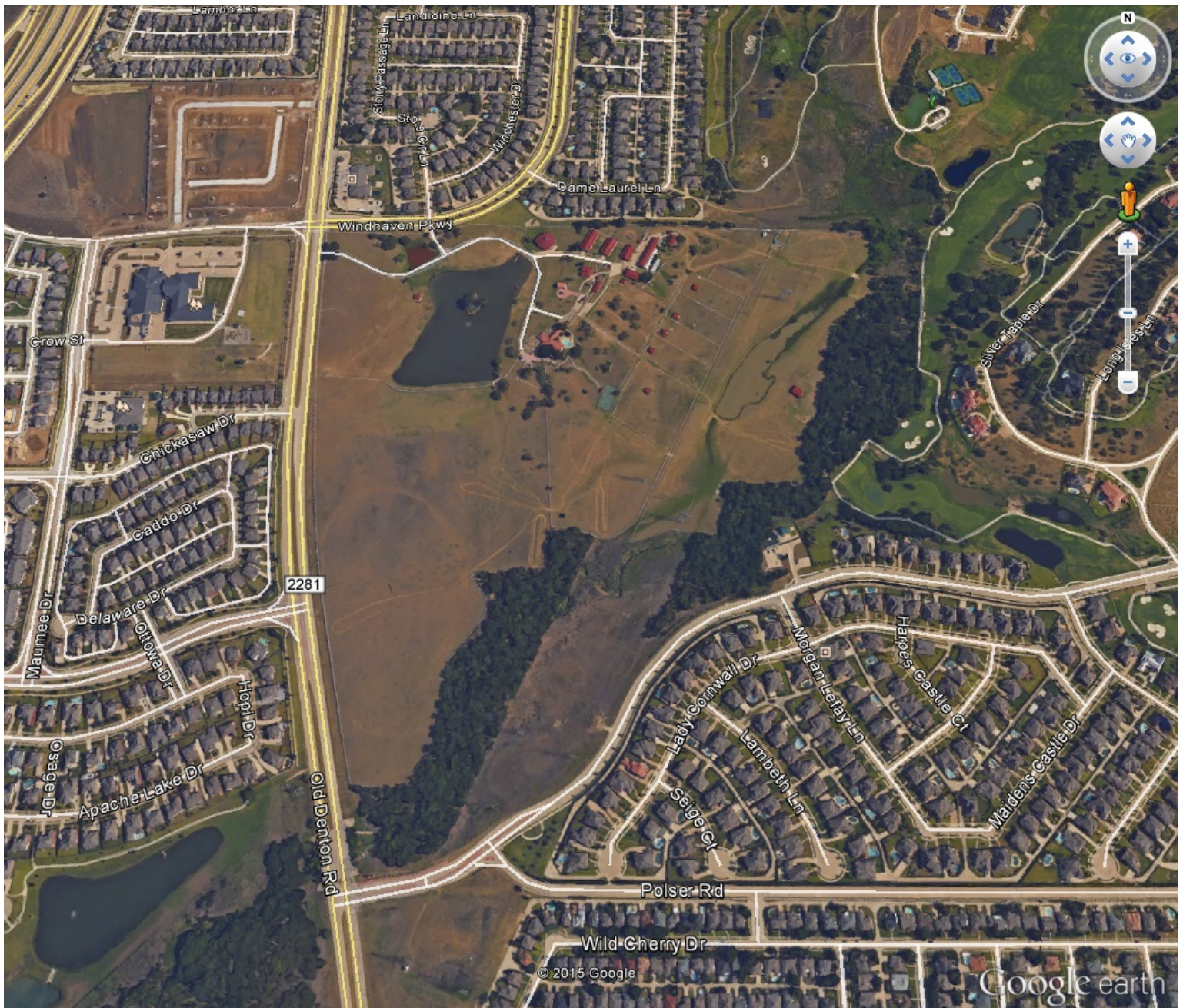
PROPOSED ORDINANCE

Normally staff prepares a draft ordinance for consideration by City Council as part of the case report. Due to the scope of requests by the applicant, staff has not done this, pending direction from the City Council.

Once Council gives direction to staff as to what should be included in the ordinance, staff will bring it back at the January 19, 2016 meeting for adoption. The applicant is aware of this timing, and finds it acceptable.



Aerial Photograph of General Area



Comparative Table
Single Family Detached Zoning Cases Since 2009

	Min. Lot Width	Max Lot Coverage	Alleys	Arterial Landscaping	Min. Home Size	Front Setback (house/garage)	Narrow Streets
Singer Ranch Request (SF-5/12)	41 ft. (about 2/3 are 50 ft.)	75%	No	None (in ROW instead)	1,600	11 ft./20 ft.	41 ft.
Austin Woods - 2014 (SF- 6.5/12)	50 ft.	65%	No	10 ft.	2,000 sq. ft.	15 ft./20 ft.	No
Avondale - 2013 (SF-5/12)	50 ft.	55%	No	15 ft.	1,200 sq. ft.	15 ft./20 ft.	No
Villas of Indian Creek - 2013 (SF-5/12)	50 ft.	55%	No	10 ft. (approx.)	2,000 sq. ft.	12 ft./18 ft.	No
Raiford Crossing - 2013 (SF-5/12)	40 ft. (about 1/2 are 55 ft.)	75%	Yes	25 ft.	1,200 sq. ft.	10 ft./NA (garages in back)	34 ft., 40 ft. & 50 ft.
The Ridge - 2012 (SF-5/12)	50 ft.	55%	No	15 ft.	1,200 sq. ft.	15 ft./20 ft.	No

11-15Z2 Singer Ranch (zoning)

	Min. Lot Width	Max Lot Coverage	Alleys	Arterial Landscaping	Min. Home Size	Front Setback (house/garage)	Narrow Streets
Villas of Wellington - 2012 (SF-5/12)	50 ft.	55%	No	15 ft.	1,400 aq. ft.	12 ft./20 ft.	No
Mustang Park - 2012 (SF-5/12) (small lots)	50 ft.	55%	Yes	20 ft. (but the residential lots don't abut Plano Pkwy.)	1,800 sq. ft.	15 ft./20 ft.	No
Est. of Indian Creek 7 - 2012 (SF-5/12)	52 ft. (30% of lots are larger)	55%	No	15 ft.	1,200 sq. ft.	20 ft./24 ft.	No
Quail Creek North - 2010 (tract w/o alleys) (SF-PH)	50 ft.	65%	No	25 ft. (along Quail Creek Dr.)	1,750	15 ft./20 ft.	No
Quail Creek North - 2004 (tract w/ alleys) (SF-PH)	35 ft.	65%	Yes	30 ft. (along Hebron Pkwy.)	1,500 sq. ft.	15 ft./NA (garages in back).	No