



**AGENDA
TOWN OF SUNNYVALE
PLANNING AND ZONING COMMISSION
MONDAY, AUGUST 15, 2016
TOWN HALL - COUNCIL CHAMBERS
127 N. COLLINS RD.
7:00 P.M.**

CALL MEETING TO ORDER

Planning and Zoning Commission Chairperson calls the Meeting to order, state the date and time. State Commissioners present and declare a quorum present.

1. APPROVAL OF MINUTES FOR 7/18/2016 REGULAR MEETING

PUBLIC HEARING

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

- 2. APPLICANT: JOHN ARNOLD - SKORBURG DEVELOPMENT
AT OR ABOUT: NE QUADRANT OF THE INTERSECTION OF TRIPP RD AND JOBSON RD (83.06 ACRES)
REQUEST: TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM ESTATE RESIDENTIAL (ER) TO LOW DENSITY RESIDENTIAL (LDR) AND THE ZONING MAP FROM SINGLE FAMILY 3 (SF-3) & SINGLE FAMILY 2 (SF-2) TO SINGLE FAMILY 3 – PLANNED RESIDENTIAL OVERLAY (SF-3-PRO)**
- 3. APPLICANT: BILL DOUGLASS
AT OR ABOUT: 224 S. COLLINS ROAD – TOWER CONVENIENCE STORE
REQUEST: CONDITINAL USE PERMIT FOR TRUCK LEASING – EXCLUDING SEMI - TRUCK AND HEAVY LOAD**
- 4. APPLICANT: TOWN OF SUNNYVALE
REQUEST: AN ORDINANCE AMENDING ZONING ORDINANCE NO. 324 DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NO. 525 AND AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE BY ADOPTION OF AMENDMENTS TO THE TEXT OF THE TOWN'S ZONING ORDINANCE INCLUDING WITHOUT LIMITATION, CHANGES TO CHAPTER 17A,**

MASTER PLANNED DEVELOPMENT DISTRICT (MPD), ESTABLISHING A NEW MINIMUM DISTRICT SIZE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

ADJOURN

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO LIMIT THEIR COMMENTS, WHETHER AT THE PUBLIC FORUM OR DURING A PUBLIC HEARING, TO NO MORE THAN FIVE (5) MINUTES.

THE SUNNYVALE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).

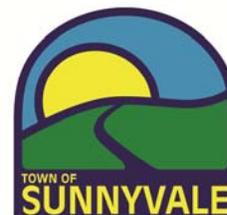
THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

THE FOREGOING NOTICE WAS POSTED IN THE FOLLOWING LOCATIONS:
SUNNYVALE ISD 417 E. TRIPP ROAD
SUNNYVALE LIBRARY AT 402 TOWER PLACE

I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON AUGUST 12, 2016 IN THE FOLLOWING LOCATIONS AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING:

TOWN HALL AT 127 N. COLLINS ROAD

LESLIE BLACK, TOWN SECRETARY



**MINUTES
TOWN OF SUNNYVALE
PLANNING AND ZONING COMMISSION
MONDAY, JULY 18, 2016
TOWN HALL - COUNCIL CHAMBERS
127 N. COLLINS RD.
7:00 P.M.**

CHAIRPERSON	KEN DEMKO
CO-CHAIRPERSON	ANTHONY OKAFOR
COMMISSIONER	JOHN PEASE
COMMISSIONER	SHINEY DANIEL
COMMISSIONER	JOSH SANDLER
COMMISSIONER	RAY VANEK
COMMISSIONER	KING MOSS
ALTERNATE COMMISSIONER	SARAH MITCHELL
ALTERNATE COMMISSIONER	DON KLINE

CALL MEETING TO ORDER

Meeting called to order at 7:00 p.m.

1. APPROVAL OF MINUTES FOR 6/20/2016 REGULAR MEETING

Commissioner Okafor made a motion, seconded by Commissioner Vanek, to approve the Regular Meeting Minutes. Chairman Demko called for a vote, and with all members voting affirmative, the motion passed unanimously.

PUBLIC HEARING

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

- 2. APPLICANT: TOMMY SATTERFIELD
AT OR ABOUT: 612 U.S. HWY 80 FRONTAGE ROAD
REQUEST: FINAL PLAT – VALDEZ HWY 80 ADDITION,
BLOCK A LOT 1**

Director Jackson presented the item.

“The applicant is the representative for a residential property located at 612 U.S. Highway 80. The parcel of land is approximately 16.5 acres in size. The Sunnyvale Zoning Ordinance requires lots of this size to have a minimum lot width (at the right of way) of 250’. The subject property will be platted with a lot width of 124’ at the right of way. The applicant received a lot width variance for the subject property on December 12, 2015 from the Board of Adjustment. Preliminary plat approval was received in January 2016.”

No comments were noted with regard to the request.

Commissioner Daniel made a motion to approve, seconded by Commissioner Okafor. Chairman Demko called for a vote, the motion passed unanimously.

- 3. APPLICANT: SUNNYVALE GALLOWAY OLD HOME PLACE TRUST**
AT OR ABOUT: 622 & 626 PECAN CREEK DRIVE
REQUEST: REPLAT – EAST FORK ESTATES NO.2, LOT 13R & LOT 14, BLOCK 2

Director Jackson presented the item.

“The applicant is the representative for residential property located at 622 & 626 Pecan Creek Drive. The subject area comprises approximately 14 acres. The applicant proposes to plat 2 lots each of which received a lot width variance from the 250’ lot width requirement. The proposed subdivision will create one lot of 5 acres and one lot of 9 acres.”

Courtland McLeod spoke on behalf of the request. He explained the purpose of the request.

Commissioner Pease questioned where the fire hydrant was located.

Director Jackson and the applicant noted that the hydrant was located at the end of the existing cul-de-sac. Mr. Jackson explained that the cul-de-sac was reviewed and approved by the town engineer and fire chief.

Commission Vanek asked who owned the larger piece of property. He also questioned if the cul-de-sac would be required to be extended to provide access to the lots.

Director Jackson noted that the property was owned by Deborah Franklin who was the representative for the Sunnyvale Galloway Old Home Place Trust. Mr. Jackson noted the right of way would not be extended. He noted that the existing pavement would provide adequate access to the proposed lots.

Commissioner Moss made a motion to approve, seconded by Commissioner Daniel. Chairman Demko called for a vote, the motion passed unanimously.

DISCUSSION/ACTION ITEMS:

- 4. DISCUSS AND CONSIDER THE FOLLOWING FOR PLACEMENT ON A FUTURE PLANNING & ZONING COMMISSION AGENDA.**
- APPLICANT: JOHN ARNOLD - SKORBURG DEVELOPMENT**
AT OR ABOUT: NE QUADRANT OF THE INTERSECTION OF TRIPP RD AND JOBSON RD (83.06 ACRES)
REQUEST: TO CHANGE THE TOWN’S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM ESTATE RESIDENTIAL (ER) TO LOW DENSITY RESIDENTIAL (LDR) AND THE ZONING MAP FROM SINGLE FAMILY 3 (SF-3) & SINGLE FAMILY 2 (SF-2) TO SINGLE FAMILY 3 – PLANNED RESIDENTIAL OVERLAY (SF-3-PRO)

Chairman Demko explained the process and reasoning for the placement of the subject request on the agenda. He explained the parliamentary procedures required to approve the subject request.

Commissioner Pease asked if the request would be required to be substantively different than the previous request in order to be placed on a future agenda.

Director Jackson explained that the request would not have to be substantively different. It noted that this current agenda item was a unique situation. He explained that only a new application would be required to be substantively different. He noted the current request was made by the applicant to be remanded back to the Planning & Zoning Commission rather than appeal to Town Council or submit a new substantially different application. Director Jackson noted that the current request (to be remanded back to P&Z) was not a process currently allowed for in the zoning ordinance.

Commissioner Sandler asked if the request to be remanded was a process noted in the zoning ordinance procedures.

Director Jackson noted that it was not a process noted in the zoning ordinance procedures.

Chairman Demko explained that the process was reviewed by the Town Attorney.

Director Jackson gave background on how the request was reviewed by the Town Attorney and subsequently placed back on the Commission agenda for consideration.

John Arnold spoke on behalf of the request. He explained the details of the current request and the reasoning for the current agenda item.

Discussion was had amongst the Commission, staff and applicant with regard to the process and possible results of their pending decision.

Commissioner Sandler asked the applicant if he believed a precedent would be set if the request was allowed to return after being denied.

Mr. Arnold believed that the current situation was unique. He stated he believed at the last meeting the vote for denial was unclear. He did not feel a precedent would be set.

Additional discussion was had amongst the commission.

Commissioner Sandler noted his reasoning why he believed the request set a precedent and created an issue with future decisions to be made by the Commission.

Chairman Demko explained his reasoning for wanting the request to return to the Commission. He noted that the applicant appeared to very close to addressing the Commissions' concerns.

Commissioner Mitchell noted that she would think that the Town Attorney would have considered the precedential value of the request prior to allowing the item to be placed on the agenda for consideration.

Commissioner Daniel made a motion to reconsider the noted request on a future agenda, seconded by Commissioner Moss. Chairman Demko called for a vote, the motion passed 5 - 2.

ADJOURN

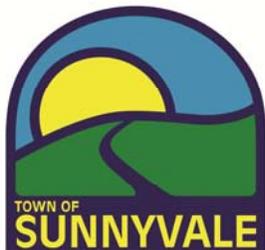
Meeting adjourned at 7:40 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Ken Demko, Chairman

ATTEST:

Leslie Black, Town Secretary



Town of Sunnyvale

August 15, 2016

Prepared By: Rashad Jackson, AICP
Director of Development Services

Summary:

APPLICANT: JOHN ARNOLD - SKORBURG DEVELOPMENT
AT OR ABOUT: NE QUADRANT OF THE INTERSECTION OF TRIPP RD AND
JOBSON RD (83.06 ACRES)
REQUEST: TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND
LAND USE DIAMGRAM FROM ESTATE RESIDENTIAL (ER) TO
LOW DENSITY RESIDENTIAL (LDR) AND THE ZONING MAP
FROM SINGLE FAMILY 3 (SF-3) & SINGLE FAMILY 2 (SF-2) TO
SINGLE FAMILY 3 – PLANNED RESIDENTIAL OVERLAY (SF-3-
PRO)

Background

This item was heard by the Planning and Zoning Commission on June 20, 2016. At the meeting, the Planning and Zoning Commission recommended denial of the proposed zone change. The applicant, Skorborg Development, asked to be remanded back to the Commission for reconsideration. Per parliamentary procedures, if one of the majority dissenting votes are willing to make a motion to reconsider the request and it was approved by vote, Skorborg's application could be brought back before P&Z and would not have to meet the materially different standard outlined in Section 21.7 of the zoning ordinance. This information was shared with the Chairman of the Planning and Zoning Commission and Staff was directed to put it on an agenda for reconsideration. P&Z met on July 18, 2016 and a motion to reconsider was made and approved by a vote of 5 to 2. Subsequently, the applicant has returned with a revised plan for review.

Analysis

The applicant has proposed 49 single family residential lots, which range in size from 43,700 sq. ft. to 73,085 sq. ft. The development would have 1 acre lots within the northern portion of the development and 1 acre lots along the southern portion of the development. If allowed, the development would require a zone change to a Planned Residential Overlay (PRO) due to the development standard variations proposed. With a PRO, the developer can request variations from the base zoning district development standards with regard to lot size, dimension and design. The types of uses allowed and performance standards applicable to planned residential developments may vary from the base district with which the planned residential overlay combines.

In order to proceed with the development proposal, the applicant has requested a zone change and comprehensive plan land use amendment.

Location

The property is located within the northeast quadrant of the intersection of Tripp Road and Jobson Road. The property is 83.06 acres in size and is zoned Single Family Residential 2 (SF-2) on the southern portion of the property abutting Tripp Road and Single Family Residential 3 (SF-3) on the northern portion of the property. The property abuts the Sunnyvale Estates development to the west, The Falls development to the east, large single family residential lots to the south, and property owned by Texas

Power & Light/Oncor Electric Delivery Company on the north. A portion of the property is located within floodplain; and consists of two existing ponds. Most of the floodplain area would remain undeveloped with the current proposal. There are a number of existing structures located within the southwest corner of the property that would be removed prior to development.

Comprehensive Plan Info

The Comprehensive Plan is the document that provides direction for the development of individual properties, according to the Town's vision. Individual development request should fit into the overall development plan that has been prescribed. The Land Use Diagram shows three different land use designations for the site, Estate Residential (along the south side of the property abutting Tripp Rd), Floodplain (within the middle of the property), and Low Density Residential (north side of the property abutting Jobson Road).

Estate Residential is "characterized by single-family detached homes on large lots. The maximum base density for this land use category is .8 du/a, with a minimum lot size of one acre. In order to retain the rural character of the Town, particularly the views along the major roadways, Estate Residential development should be designed with wide lots providing some separation between homes on adjacent properties. For this reason, the development at base densities should maintain a minimum lot width of 170 feet and a lot depth greater than the lot width. An incentive density of .9 du/a may be permitted if the development project is at least 20 acres, fifteen (15) percent of the subdivision is preserved as open space and project design is superior."

Low Density Residential is "characterized as a residential subdivision with a maximum base density of 1.0 dwelling units per acre. Typical housing types in this land use category include single family detached homes on large and medium sized lots. Projects from 20 to 175 acres may achieve incentive densities as well, although the specific requirements for a smaller project vary. A minimum lot width of 170 feet is required unless the subdivision is developed at the incentive or bonus density."

Floodplain includes all public park land within the Town. In addition, it includes the general areas of land located within the 100-year floodplain as identified by the Federal Emergency Management Agency (FEMA). It may include land that has been reserved as open space by either a public agency or private landowner. Development of private lands in this category is limited due to public safety concerns. The Town recognizes that modification of floodplain areas, in accordance with federal regulations, may remove some land from floodplain designations.

As noted, development proposals are meant to fit into the proposed development plan noted for the area. The proposed plan adheres to the intent noted for the area (large lot development) but it does not fully comply with the development standards associated with the zoning ordinance. At a joint Town Council and Planning & Zoning Commission held on January 9, 2016, it was established that the future land use intentions for this property would remain as is.

Zoning Ordinance Info – Base Density Development

The purpose of the SF-2 District "is intended as an area for low density residential use in a semi-rural to rural environment. The principal purpose of this district is large-lot single family residential development; small lot or residential subdivision development is discouraged. This district is appropriate for selected locations where rural characteristics are desired, or where terrain or public service capacities necessitate low densities. Limited public services may be extended to this district based upon proximity to existing services". The purpose of the SF-3 District "is intended for low density residential use on large and medium size lots, and the provision of flexible development opportunities through planned residential development. This district is appropriate where low-density urban development is desired and where public services exist or could reasonably be extended to the development".

Planned Residential Overlay Info

As noted, in order to proceed with this proposed development, a zone change to a planned residential overlay would be required accompanied by a land use map amendment. The zoning ordinance has established a Planned Residential Overlay District that allows for modifications to the underlying base zoning district providing that certain provisions are met. The project area requirement for the establishment of a **SF - 3** Planned Residential Overlay District is 1,000 acres. But Section 10.10 (Alternative Proposal and Variation from Requirements) of the zoning ordinance states project size variations (developments smaller than 1000 acres) may be considered for a planned residential overlay with the following limitations:

- A. No variations will be granted from the maximum residential densities for planned residential developments set forth in the base zoning district regulations.
- B. The alternative proposal and variations requested shall achieve the same basic objectives as the particular standards which are to be varied.
- C. *Where the proposal seeks to vary **project size** limitations, the alternative design shall be evaluated in accordance with standards applicable to larger projects.*

Section 10.10 language allows for the consideration of development proposals that do not meet the minimum 1000 acre requirement. It stipulates that even if the project is smaller, the proposed development shall still meet the minimum requirements for larger projects (i.e. minimum 15% open space).

Details of the proposed SF3 – Planned Residential Overlay development are as follows.

Total Site Area	83.06 acres
SF-3 Lot Area (1 acre lots)	64.85 acres (74%)
Open Space Area (ponds)	approx. 18.21 acres (21%)
Total Lots	49 Lots

The table below shows the proposed development standards that would be up for consideration.

<u>Detached Single Family Lot Type</u>	<u>1 Acre Lot</u>
Minimum Lot Area	43,560 SF
Maximum Building Height	36'
Air Conditioned Square Footage (Minimum)	2,200 SF
Minimum roof pitch	8:12 except for 4:12 on porch roofs
Minimum lot width at front building line	153' (Note 1)
Minimum lot depth	180' (Note 1)
Front yard setback	70' (Note 3)
Rear yard setback	80' (Note 3)
Side yard setback	30'
Garage orientation	Traditional "swing", "inside swing", "outside swing" or "J" drive garages shall be required. However, garage doors shall be permitted to face the street to the extent that the same or greater number

	of garage doors for the dwelling are in the “swing”, “inside swing”, “outside swing” or “J” configuration.
Maximum lot coverage	65%
Anti-Monotony Features: Exterior façade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four intervening homes of sufficient dissimilarity on the same side of the street and two (2) intervening homes on the opposite side of the street. The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity.	

Notes:

- 1) Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced in lot width at the front property line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced as needed to fit the knuckles and cul-de-sacs in accordance with the attached concept plan.
- 2) The streets within the subdivision shall be of open swale design for storm drainage.
- 3) Lots 27, 28, 29, 30, and 31 will have a front yard setback of forty (40) feet and a rear yard setback of fifty (50) feet. The side yard setbacks will remain thirty (30) feet.

List of Variations

	<u>Standard SF-3 PRO</u>	<u>Glazer Estates: SF-3 PRO</u>
Minimum Lot Width	170'	153'
Minimum Lot Depth	Greater than width	180' (Note 1)
Maximum Lot Coverage	35%	65%
Front Yard Setback	70'	70' (Note 2)
Rear Yard Setback	80'	80' (Note 3)
Size of Project	1000 Acres	83.06 Acres
Garage Orientation	Garages shall not face ROW	Front entry and "swing garages"

- 1) Lot 31 is wider than it is long.
- 2) Lots 27, 28, 29, 30 and 31 will have a 40' front setback.
- 3) Lots 27, 28, 29, 30 and 31 will have a 50' front setback

Density Categories

If established as a PRO, the following would need to be considered. For an SF-3 PRO, there are three density categories, which include incentive density and two (2) bonus density categories. For each category, there are items that need to be provided, in order to qualify for a specific category. Those requirements have been shown below:

**Planned Residential Development Standards
SF-3 ZONING DISTRICT**

Density Category	Maximum Permitted Density	Minimum Project Size	Minimum Open Space (Percent of Gross Usable Acreage)	Required Lot Size	Minimum % of Lots that must be Larger than or Equal to Required Lot size	Buffer
Incentive	1.3 D.U/acre	1,000 acres	15 %	16,000 sq ft 18,000 sq ft 24,000 sq ft 30,000 sq ft	100% 80% 60% 35%	Screen
Bonus Option ¹	1.6 D.U/acre	1,000 acres	15 %	15,000 sq ft 18,000 sq ft 20,000 sq ft 24,000 sq ft	100% 70% 30% 10%	Berm
Bonus Option ¹	1.6 D.U/acre	1,000 acres	25%	13,000 sq ft 15,000 sq ft 18,000 sq ft 20,000 sq ft	100% 80% 30% 10%	Berm

1. Either option may qualify for bonus density.

Based upon the information that has been provided, it would appear that the proposal would align with the incentive density category.

Maximum Permitted Density

For the incentive category, the maximum permitted density for the development is 1.3 dwelling units per acre. Density is calculated by the number of dwelling units provided per gross usable acre of land. Gross useable acres is defined as “the number of acres of land in a development site computed by subtracting from the total number of acres that is occupied by (1) floodway, (2) 75% of any land encumbered by a reservation of record, restricting all or a portion of property from development or encumbered by a power line easement, and (3) any other form of unusable open space”. As shown later in the staff memo, the gross useable acres are determined to be approximately 64 acres. The applicant has proposed a maximum density of 0.76 with a total of 49 lots on 64 acres of gross useable land.

Minimum Percentage of Lots

For density category there is a different minimum percentage of lots that must be equal to or greater than the required lot size shown on the table above. Based upon the plan provided, the applicant would appear to meet the lot mix required for the incentive density category.

Maximum Number of Dwelling Units

The maximum number of dwelling units that are permitted within the PRO cannot exceed the number of maximum residential units that would be authorized in the base district. This is accomplished by multiplying the maximum residential density in the base district by the number of gross useable acres of the project, which has been previously noted.

While the property does not have floodway, it does contain some un-useable area due to the floodplain or pond areas, which can be seen as being restricted from development. In acquiring this calculation, Town staff has subtracted out the floodplain/park area (18.21 acres) resulting in a gross useable acreage of 64 acres. The density requirement in the base zoning district being one (1) unit per acre for SF-3 and .8 for SF-2, results in an overall maximum number of dwelling units of approximately 61. Staff notes this calculation does not consider the space required for infrastructure and utilities which would likely lower the maximum number of possible dwelling units. The applicant has provided for a maximum of 49 dwelling units.

FP – 18.21 acres = n/a

SF-2 – 13.9 acres (.8) = approx. 11 max dwelling units

SF-3 – 50.95 acres (1) = approx. 50 max dwelling units

Open Space Requirements

An application for a PRO district must include an open space plan. A PRO should not be approved if the development does not provide the minimum percentage of land area for the project devoted to open space. Chapter 20.3 Open Space Standards (B)(6) of the Zoning Ordinance does state that “trails shown on the Town’s adopted Open Space Master Plan shall be constructed by developers of all residential and nonresidential property whether the property is developed at base density or is a part of a Planned Residential Overlay District, Planned Commercial District or Design Review District. All such trails shall be located in a 15-foot access easement dedicated to, but not necessarily maintained by, the Town of Sunnyvale”. The applicant has provided for an east/west trail in accordance with the Town Open Space Master Plan. The trail system will also provide a north/south connection to the proposed trail network within the Samuell North Park along the Jobson Road boundary of the project. An additional trail connection is shown between lots 18 & 19 of the development.

Future Development Details

Landscaped Buffer Areas and Right-of-Way

At a minimum, landscaped buffers shall be covered with living grass or ground cover and shall be provided with an automatic irrigation system. If the buffers are intended to be maintained by a homeowner’s association, the buffer will need to be placed within a landscape easement dedicated to the Town of Sunnyvale and Homeowner’s Association.

Both Tripp and Jobson are considered country lanes. Country lanes are two-lane rural collector streets with a minimum 60’ ROW required with additional landscape buffer zones provided. The landscape buffer must provide 3” caliper trees, spaced at 30’ on center for small/medium trees and 50’ on center for large trees. Country lanes must be designed without curbs or gutters and drainage shall be accommodated in drainage swales.

The applicant has provided a sixty (60) foot right-of-way within the development. The proposed neighborhood streets will twenty-four (24) feet from edge of pavement to edge of pavement. This would appear to meet the standards provided for a county lane local residential street. All public improvements would need to be constructed to meet Town engineering design standards.

The proposed landscape plan shows a twenty-five (25’) foot landscape buffer along the north and west portion of the development. Planned Residential Overlay developments are required to have a twenty-five (25’) perimeter landscape buffer. The applicant has proposed a 10’ perimeter landscape buffer to the east near The Falls subdivision and a small buffer along a proposed slip street to the south. This change in the standard perimeter requirement would need to be approved as a variation from the PRO perimeter buffer requirement.

Tree Preservation / Replacement Plan

There are trees located on the site; and particularly along the Jobson Rd ROW. Town staff would request that as many of these existing trees are preserved as possible to enhance the country lane designation that has been given to both Jobson and Tripp Roads. At this point, the applicant has not prepared a tree preservation and replacement plan. Such a plan would be required as part of the preliminary plat approval. The plan would need to meet the requirements of the zoning ordinance.

Street Lighting

Decorative lighting is required at all residential subdivision entries. Additional lighting is to be placed throughout the development. The location of street lighting fixtures would need to be determined. Light poles are to be fourteen (14) feet in height. Traffic information and street names shall be placed on the poles. The applicant will need to work with Oncor Electric to install the standard Sunnyvale light pole. A sketch or photo of the lighting equipment would need to be submitted to the Town for review and approval.

Fire Hydrants

Fire Hydrants would need to be located in accordance with the regulations as provided for within the Zoning Ordinance and Subdivision Ordinance. The distance of a fire hydrant from the edge of pavement for a public street shall not exceed five (5) feet unless otherwise permitted by the Town Engineer. Fire hydrants must be located at all intersecting streets and at intermediate locations between intersections at a maximum spacing of five hundred (500) feet. This will be further reviewed at the preliminary plat level.

Standard Architectural Details (unless revised within a PRO ordinance)

Given that fencing will be adjacent to open space, open fencing with openings that do not cover more than fifty (50) percent of the fence area shall be used for residential lots that abut open space.

Zoning ordinance regulations require that garages shall not face the front of the lot. No front building elevation or plan for a single-family detached dwelling shall be repeated with a block face or within 1,000 feet along a street(s). All residential units shall consist of ninety (90) percent brick or stone, with exception given to doors and windows.

The applicant has proposed "J swing" front entry designed elevations which would allow for a one-car garage to face the front of the lot if a third garage is a part of the proposed home floor plan. The applicant has also requested a variation from the 1000 ft. non-repetition requirement. The proposed PRO ordinance stipulates, "*elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity on the same side of the street and two (2) intervening homes on the opposite side of the street. The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity.*"

Sidewalks/Trails and Open Space

The Town of Sunnyvale Parks, Recreation, and Open Space Plan shows a future trail extending south along a portion of Jobson Road and looping through the floodplain portion of the property. The area shown on the concept plan, that is floodplain and pond area would be considered open space. The open space plan shows the trail segments connecting to an existing trail located behind the cul-de-sac within The Falls development in accordance with the park plan. The applicant has provided for an east/west trail in accordance with the Town Open Space Master Plan. The trail system will also provide a north/south connection to the proposed trail network within the Samuel North Park along the Jobson Road boundary of the project. An additional trail connection is shown between lots 18 & 19 of the development.

Public Notice

Public notice was provided to the Town's Official Newspaper for publication on July 27, 2016. Letters were also sent to property owners' within 400' on August 4, 2016. The total number of letters sent was sixty-one (61). As of the release of the staff memo, three (3) response letters were received. Two (2) in favor, one (1) against.

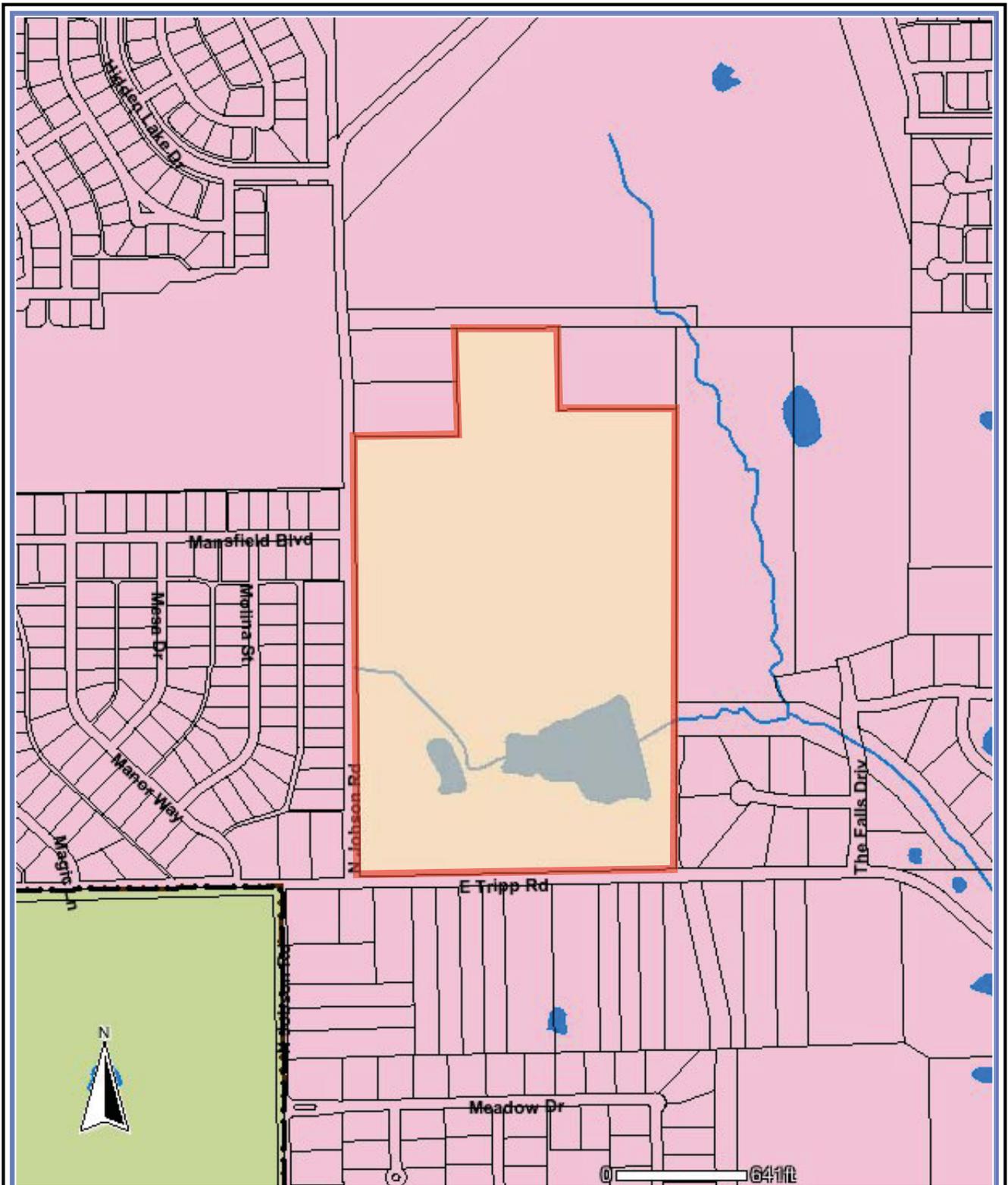
Staff Recommendation

Comments may not represent an all-inclusive list. More detailed plans and drawings would be provided at the Preliminary Plat level to ensure that every regulation required by Town ordinance has been adequately addressed. Town staff provides the following comments for consideration:

1. Staff notes that the current proposal is more in line with the overall land use intent for the subject area. The applicant's primary variation requests include lot width, setback and garage orientation.
2. If a slip street concept is approved, staff requests the inclusion of language in the PRO ordinance stipulating the slip streets shall be maintained by the Glazer Estates HOA.
3. If approved, the developer will need to address any future comments and/or concerns that may be presented by the Public Works Director and Town Engineer. The public works department recommends the development of subdivisions with curb and gutter streets as opposed to country lanes due to maintenance and drainage issues.
4. The applicant would need to verify that no floodplain reclamation is necessary for those lots/pads located within the floodplain area. The FEMA floodplain will have to be removed from the proposed residential lots with a Letter of Map Revision.
5. The applicant will need to work with existing residents and the post office for the relocation of mailboxes that currently exist along the north side of Jobson Road. The development of these lots will result in the potential re-location of the existing mailboxes.
6. Additional comments have been provided throughout the staff memo, which must be taken into consideration as well prior to preliminary plat submittal.

Attachments

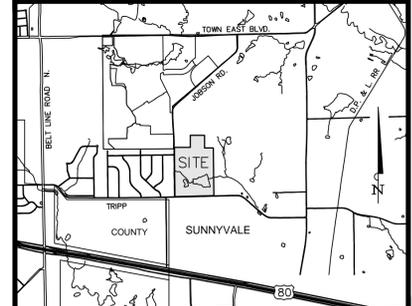
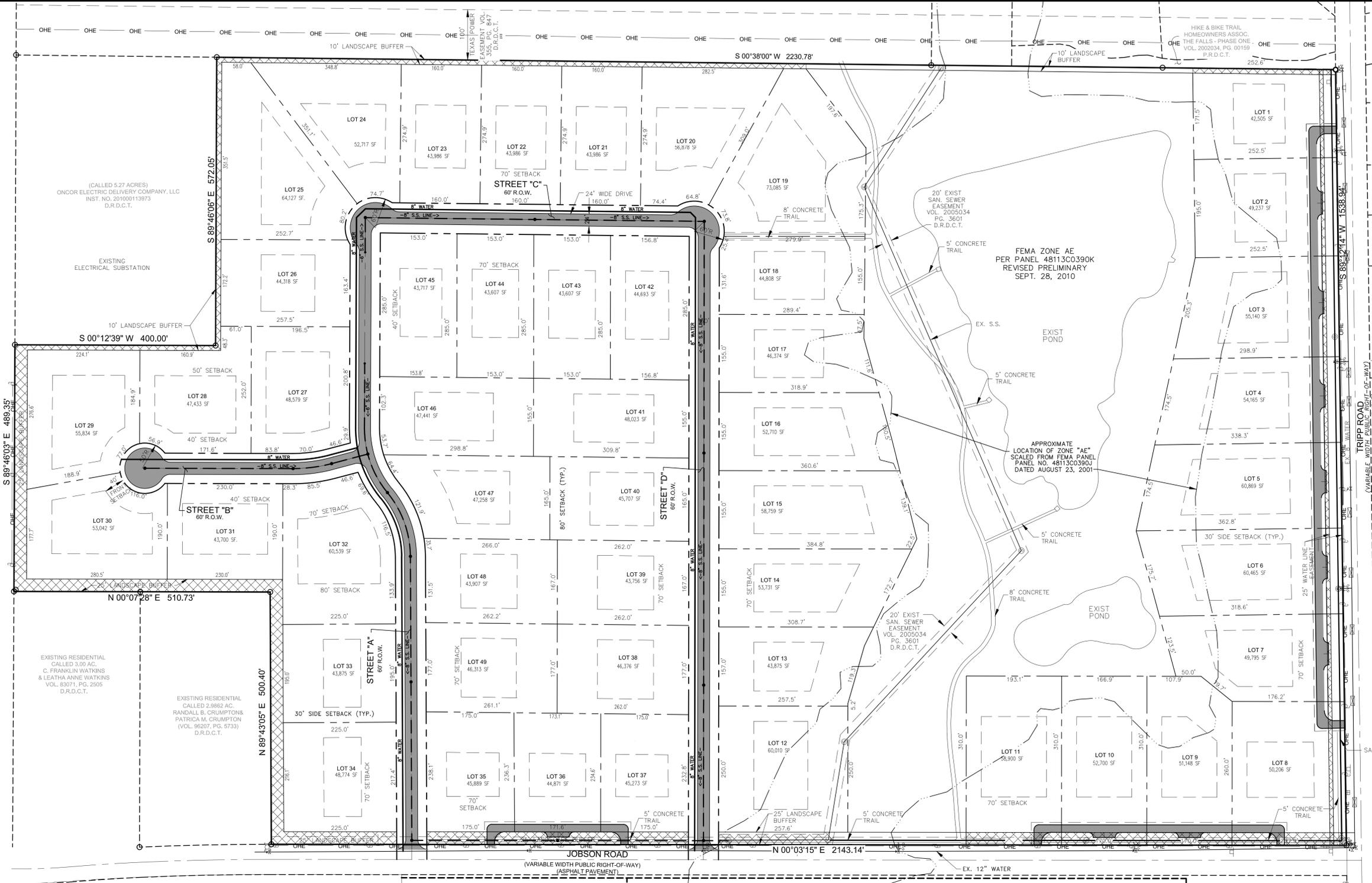
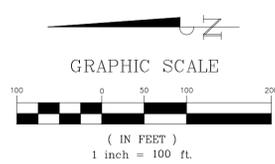
- Location Map
- Concept Plan with slip street for Glazer Estates
- Landscape Plan with slip street for Glazer Estates
- Proposed Ordinance - Planned Residential Overlay development standards



**Dallas Central
Appraisal District**
www.dallascad.org

DISCLAIMER

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



SITE DATA SUMMARY

ZONING/ LAND USE:	SF-3 SF-3 FLOODPLAIN
TOTAL SITE AREA:	83.06 ACRES (including buffers) 3,618,073 SF
SF-3 LOT AREA:	64.71 ACRES 2,818,868 SF
SF-3 DENSITY:	0.76 UNITS/AC (49 LOTS)
PARK AREA:	18.35 ACRES 799,206 SF
TOTAL # OF LOTS:	49 LOTS
MINIMUM SIZE:	43,560 SF
TYPICAL SETBACKS:	FRONT: 70 FEET REAR: 80 FEET SIDE: 30 FEET

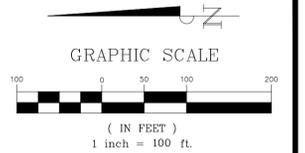
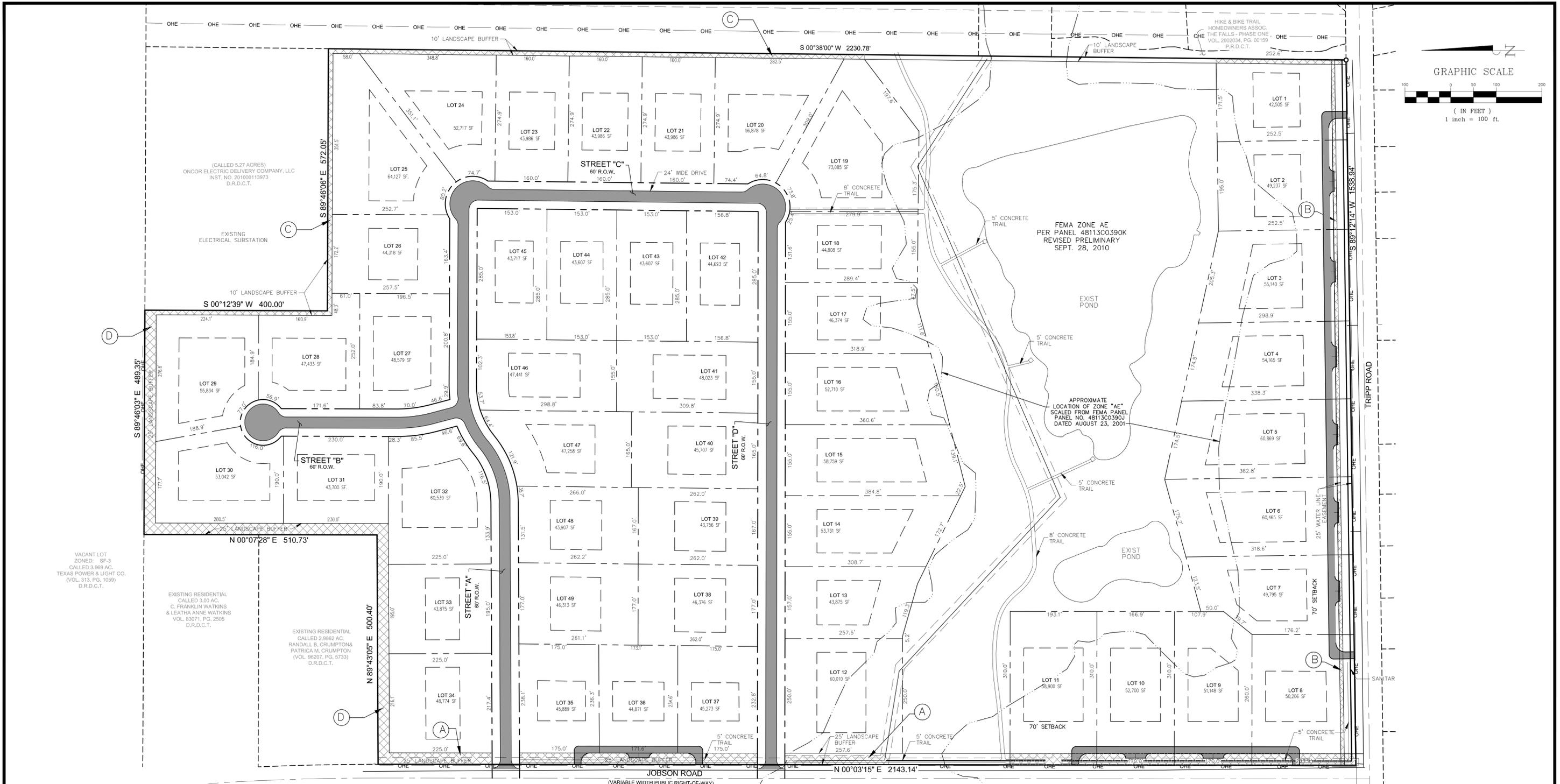


PLAN PREPARED BY:
BANNISTER ENGINEERING, LLC (F-10599)
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
PHONE (817) 842-2094
FAX (817) 842-2095
CONTACT: CODY BROOKS, P.E.

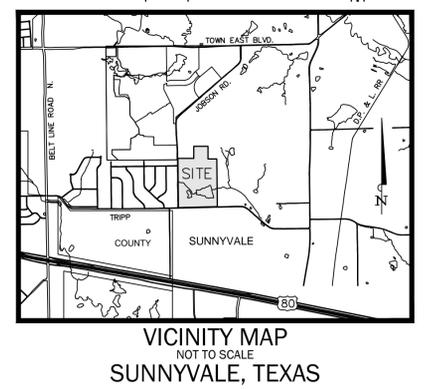
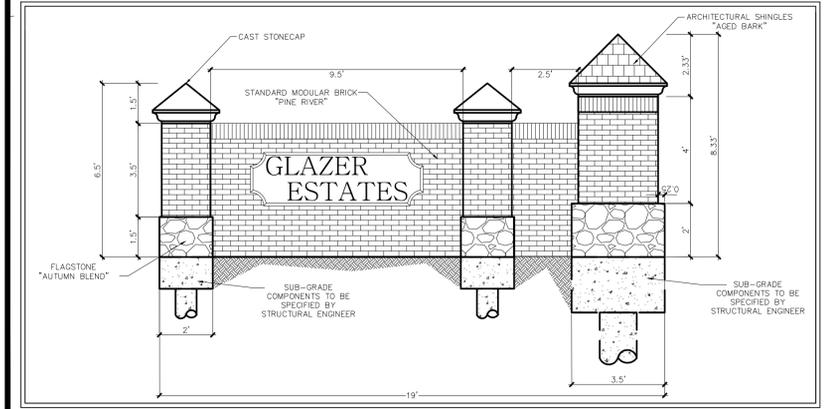
DEVELOPER:
SKORBURG COMPANY
8214 WESTCHESTER DRIVE,
SUITE 710
DALLAS, TEXAS 75225
(214) 522-4945
CONTACT: RICH DARRAGH

**PRO CONCEPT PLAN
FOR
GLAZER ESTATES**

83.06 ACRES
TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS
ABSTRACT NO. 338



CONCEPT ENTRY FEATURE



LEGEND

- DENOTES COMMON AREA
- A. Along Jobson Rd.
 - a. A twenty-five foot (25') wide landscape buffer area with berms shall effectively screen and shield the development from Jobson Rd.
 - b. Due to Tripp and Jobson being Country Lanes, trees of no less than 3 inch (3") caliper will be planted and spaced at a maximum of thirty feet (30') on center for small to medium trees or fifty feet (50') on center for large trees.
- B. Along Tripp Rd:
 - a. A seven and one half foot (7.5') wide landscape buffer area shall effectively screen and shield the development from Tripp Rd.
 - b. Due to Tripp being Country Lanes, trees of no less than 3 inch (3") caliper will be planted and spaced at a maximum of thirty feet (30') on center for small to medium trees or fifty feet (50') on center for large trees. Shrubs will also be planted in this landscape area.
- C. Along the northeastern and eastern portion of the tract.
 - a. A ten foot (10') landscaped buffer area with berms shall effectively screen and shield from the transmission lines on the eastern boundary of the tract and the power plant on the northeastern boundary of the tract.
 - b. Plant 1 small to medium tree thirty feet (30') on center or plant 1 large tree fifty feet (50') on center.
- D. Along the northwestern and northern boundary of the tract.
 - a. A twenty-five foot (25') landscape buffer area with berms shall effectively screen and shield the development from the transmission lines along the northern boundary as well as the houses along the northwestern boundary.
 - b. Plant 1 small to medium tree thirty feet (30') on center or plant 1 large tree fifty feet (50') on center.

CONCEPT LANDSCAPE PLAN FOR GLAZER ESTATES

83.06 ACRES
 CITY OF SUNNYVALE, DALLAS COUNTY, TEXAS
 ABSTRACT NO. 338

PLAN PREPARED BY:
 BANNISTER ENGINEERING, LLC (F-10599)
 240 NORTH MITCHELL ROAD
 MANSFIELD, TEXAS 76063
 PHONE (817) 842-2094
 FAX (817) 842-2095
 CONTACT: DREW DUBOCCO

DEVELOPER:
 SKORBURG COMPANY
 8214 WESTCHESTER DRIVE,
 SUITE 710
 DALLAS, TEXAS 75225
 (214) 522-4945
 CONTACT: RICH DARRAGH

**Planned Residential Overlay
“Glazer”
Sunnyvale, Texas**

PLANNED RESIDENTIAL OVERLAY DISTRICT- SINGLE FAMILY RESIDENTIAL – PRO sub district to combine with SF-3 base zoning.

General Description: This Planned Residential Overlay District (PRO) is intended to accommodate a low density single family residential use. Development standards for this district are outlined within this text.

Statement of Purpose: The purpose of this PRO is to establish a Concept Plan and specific conditions for the development of the property known as “Glazer Estates”. The intent of this PRO is to achieve a quality residential community while providing a variety of dwelling unit sizes and additional open space amenities. The approximate acreage of open space is 18.21 Acres.

Amendment of Base Zoning Districts:

1. The base zoning district for the 64.85 acres is changed from SF-2 and SF-3 to SF-3 base zoning district.
2. A PRO sub district hereby is created to combine with the SF-3 base zoning district.

Land Use: Land uses within the “Glazer” development shall be limited to detached single family dwellings, open spaces, and other amenities specified herein.

Dwelling Unit Size: Forty-nine (49) single family dwelling units within this tract shall have a minimum air conditioned living space size of 2200 square feet.

Number of Dwelling Units and Density: The number of dwelling units within “Glazer Estates” shall not exceed forty-nine (49) and the Gross Usable Acres, as defined in the Town’s Zoning Ordinance, shall be deemed to be 64.85 acres. The gross residential density shall not exceed 0.76 Units per Acre (Incentive density in chart 7.2 is 1.3 density Units per Acre, with 15% open space). Development shall be in accord with the concept plan as attached. However, in the event of conflict between the concept plan and the written conditions, the written conditions shall control. The concept plan shall also serve as the land use plan.

Development Regulations:

Minimum Standards for Lot Size:

<u>Detached Single Family Lot Type</u>	<u>1 Acre Lot</u>
Minimum Lot Area	43,560 SF
Maximum Building Height	36’
Air Conditioned Square Footage	2,200 SF

(Minimum)	
Minimum roof pitch	8:12 except for 4:12 on porch roofs
Minimum lot width at front building line	155' (Note 1)
Minimum lot depth	180' (Note 1)
Front yard setback	70' (Note 3)
Rear yard setback	80' (Note 3)
Side yard setback	30'
Garage orientation	Traditional "swing", "inside swing", "outside swing" or "J" drive garages shall be required. However, garage doors shall be permitted to face the street to the extent that the same or greater number of garage doors for the dwelling are in the "swing", "inside swing", "outside swing" or "J" configuration.
Maximum lot coverage	65%

Notes:

- 1) Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced in lot width at the front property line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced as needed to fit the knuckles and cul-de-sacs in accordance with the attached concept plan.
- 2) The streets within the subdivision shall be of open swale design for storm drainage.
- 3) Lots 27, 28, 29, 30, and 31 will have a front yard setback of forty (40) feet and a rear yard setback of fifty (50) feet. The side yard setbacks will remain thirty (30) feet.

List of Variations:

	<u>SF-3</u>	<u>Glazer Estates: SF-3 PRO</u>
Minimum Lot Width	170'	153'
Minimum Lot Depth	Greater than width	180' (Note 1)
Maximum Lot Coverage	35%	65%
Open Space	15%	21.00%
Front Yard Setback	70'	70' (Note 2)
Rear Yard Setback	80'	80' (Note 3)

Notes:

- 1) Only Lot 31 is wider than it is long.
- 2) Lots 27, 28, 29, 30 and 31 will have a 40' front setback.
- 3) Lots 27, 28, 29, 30 and 31 will have a 50' front setback.

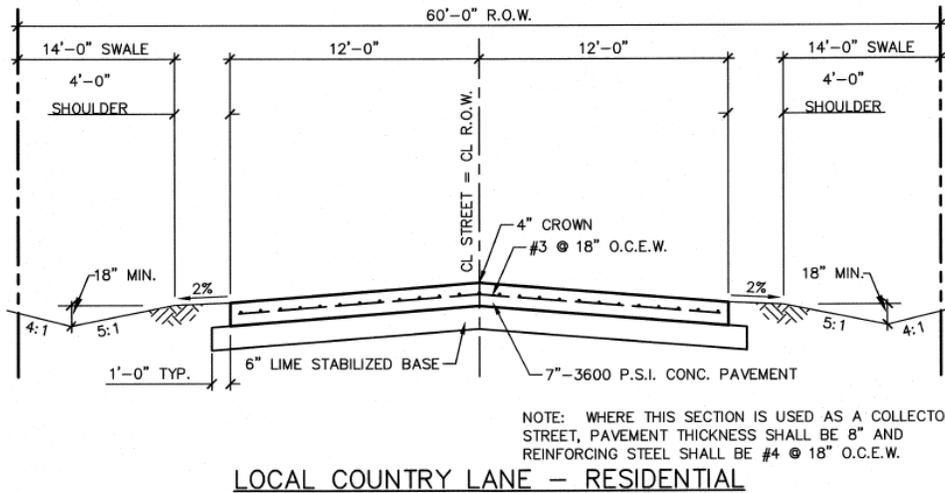
	<u>PRO</u>	<u>Glazer Estates</u>
Size of Project	1000 Acres	83.06 Acres
	<u>Ordinance</u>	<u>Glazer Estates</u>
Garage Orientation	Garages shall not face ROW	Front entry and "swing garages"

Lot Trees: Prior to issuance of a certificate of occupancy, the developer or builder shall plant a sufficient number of trees on the lot to assure that the following numbers of trees of a minimum size of three inch (3") caliper and ten (10) feet in height exist on the site. For lot sizes 1 acre or larger, a total of three (3) trees shall be planted per lot.

Street and Intersection Design: The development shall be designed and constructed using curvilinear streets. Curvilinear streets are defined as those curved streets having a centerline radius of not greater than 1,500 feet nor less than 350 feet. The percentage of curvilinear streets shall be determined by dividing the total centerline lengths of curvilinear streets by the total centerline lengths of all streets in the addition. The street right of way will be a 60' open swale with 24' pavement; this is the standard for a "Local Country Lane - Residential" as noted in the Town's "Paving Details." There will also be an addition of two (2) "slip streets" along Jobson Rd. These slip streets will be constructed in accordance with the Town of Sunnyvale Engineering Design Standards as a 15' Alley Section. The slip streets will be located within a 20' access easement. There will be a third "slip street" along Tripp Rd. This slip street will be constructed in accordance with the Town of Sunnyvale Engineering Design Standards as a 15' Alley Section. The slip street will be located within a 20' access easement.

There will be ten (10) foot wide by twelve (12) foot long parking spaces along the slip streets. There will be two (2) of these parking spaces in front of Lots 2, 3, 4, 5, 6, 7, 9, 10 and 36.

Typical Road Section:



Buffering, Landscaping and Screening:

- A. Along Jobson Rd.
 - a. A twenty-five foot (25') wide landscape buffer area with berms shall effectively screen and shield the development from Jobson Rd.
 - b. Due to Tripp and Jobson being Country Lanes, trees of no less than 3 inch (3") caliper will be planted and spaced at a maximum of thirty feet (30') on center for small to medium trees or fifty feet (50') on center for large trees.
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- D. Along the northwestern and northern boundary of the tract.
 - a. A twenty-five foot (25') landscape buffer area with berms shall effectively screen and shield the development from the transmission lines along the northern boundary as well as the houses along the northwestern boundary.
 - b. Plant 1 small to medium tree thirty feet (30') on center or plant 1 large tree fifty feet (50') on center.

Landscape Plan: See attached landscape plan (Exhibit B attached hereto).

- A. A tree survey/landscape plan shall be submitted with any plat in accordance with the landscape plan.

Maintenance of Open Space, Amenities, Landscape Buffer and Trails: The trail systems in the development shall be in accordance with the Town Open Space Master Plan. The trails in the open space area and between lots 18 and 19 will be constructed of concrete at a width of 8 feet. The open space and trails shall be provided as indicated on the concept plan and maintained by the “Glazer Estates” Homeowner's Association. The trail along Jobson Rd. will be constructed of concrete at a width of 5 feet. This trail shall be provided as indicated on the concept plan and maintained by the “Glazer Estates” Homeowner’s Association. There will also be three (3) concrete pads in the floodplain along the lake. These pads shall be provided as indicated on the concept plan and maintained by the “Glazer Estates” Homeowner’s Association. There will be trails at 5 feet in width connecting each pad to the larger 8 foot concrete trail. Lots abutting open space may have tubular steel fencing backing up to the pond / trail open space areas. The drainage swales along the residential streets will be maintained by the “Glazer Estates” Homeowner’s Association.

Anti-Monotony Features: Exterior façade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity on the same side of the street and two (2) intervening homes on the opposite side of the street. The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity. Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes. Minimum of 8:12 front elevation roof pitch, except 4:12 roof pitches on porches. Dimensional shingles shall be used.

Homeowner's Association: A Homeowners Association duly incorporated in the State of Texas shall be incorporated and each lot/homeowner shall be a mandatory member. This association shall be established so as to ensure the proper maintenance of all common areas, either public or private, as desired, to be maintained by the association. The bylaws of this association shall establish a system of payment of dues, a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member, and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The Bylaws shall be submitted to the Director of Planning for review and approval prior to construction.



Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

The Town of Sunnyvale has received a request from John Arnold for an Amendment to Zoning Ordinance No. 324, duly passed by the Town Council; and as amended from time to time, so as to change the Town's Comprehensive Plan and Land Use Diagram from Estate Residential (ER) to Low Density Residential (LDR) and the Zoning Map from Single Family 3 & Single Family 2 to Single Family 3 – Planned Residential Overlay (SF3-PRO) for property located at or about the northeast corner of Tripp Road and Jobson Road. The request is for the proposed development of Glazer Estates, a residential development consisting of 49 one acre lots. The plan is attached.

The Planning and Zoning Commission will hear this application on Monday, August 15, 2016 and the Town Council will consider the application on either Monday, August 22, 2016 or Monday, September 12, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The zone change request application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact Rashad Jackson, Director of Development Services at 972-203-4103 or rashad.jackson@townofsunnyvale.org.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

- I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments
- I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

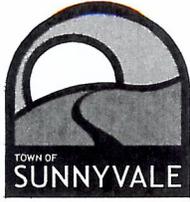
Explanation:

Signature:

Printed Name:

Address:

Date:



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- I am in favor of the Proposed Comprehensive Plan and Zoning Map Amendments
- I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation:

Signature:

Printed Name:

Michael Glazer

Address:

14911 Quorum Dr suite 150 (Part owner of Glazer Estates)

Date:

8/8/16



Notice of Request to Amend
Comprehensive Plan and Zoning Map
Town of Sunnyvale

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- I am opposed to the Proposed Comprehensive Plan and Zoning Map Amendments

Explanation:

*Same reasons as always
Lots 1-11 are disconnected
from developments. No parking
Area not suitable
for houses.*

*Nothing definite from FEMA to show this
is a wet pasture and/or will not*

Signature:

Christine Gunter

*adversely
affect the
off homes*

Printed Name:

Christine Gunter

Address:

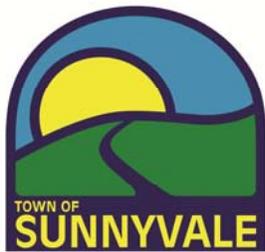
318 E. TRIPP

opposite lots

Date:

8/8/16

1-11.



**Prepared By: Rashad Jackson, AICP
Director of Development Services**

Summary:

APPLICANT: BILL DOUGLASS
AT OR ABOUT: 224 S. COLLINS ROAD – TOWER CONVENIENCE STORE
REQUEST: CONDITIONAL USE PERMIT FOR TRUCK LEASING – EXCLUDING SEMI - TRUCK AND HEAVY LOAD

Background:

The applicant has submitted a revised application requesting a conditional use permit to allow for the establishment of U-haul truck leasing center within the Towers Convenience Store (Valero) located at 224 S Collins Rd. At a previous Commission meeting held on June 20, 2016, the applicant was instructed to return with a dimensioned site plan of the proposed truck parking area. A revised site plan is attached for review. The dimensioned site plan shows adequate space to meet the following standards.

- Each parallel parking space shall be a minimum of nine (9) feet in width and 20 feet in length.
- The minimum aisle width shall be 20 feet wide.

Staff has made the applicant aware that the proposed area will be required to be restriped in accordance with parking regulations if approved.

The subject property is zoned General Business. The General Business zoning district conditionally allows for the proposed use. Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

The applicant plans to lease small trucks and vans from the subject location. Upon review, the applicant indicated the intent to have up to two vehicles available for lease at the subject location. The attached site plan shows the vehicles will be placed at the rear of the business next to an undeveloped parcel of land. No construction is proposed for the implementation of the proposed use. The adjacent properties in the area are all zoned General Business.

Zoning Ordinance Standards

When considering applications for a conditionally permitted use, the Commission and Council shall evaluate the impact and compatibility of the conditional use with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. The Commission shall specifically consider the extent to which:

- A. The proposed use at the specified location is consistent with the policies and embodied in the adopted Comprehensive Plan.
The Comprehensive Plan notes the subject property as Retail (R). "This land use category is intended to include various types of retail and personal service uses, as well as low intensity office and professional uses, typically in a neighborhood-oriented or shopping center setting. These uses may also be appropriate along major thoroughfares (e.g. Belt Line Road) and freeway frontages (e.g. U.S. Highway 80), as shown on the Future Land Use Plan. Retail uses that would be included within this category would include grocery stores, pharmacies, convenience stores, restaurants/cafes, discount/general merchandise stores, hardware/home improvement stores with little or no outside storage, appliance and furniture stores, computer and electronics sales, gardening shops, collectibles/antique sales, and other similar establishments where goods are sold. Service uses would include apparel laundering (e.g. dry cleaners) or repair (e.g. tailor, shoe or jewelry repair), floral shops, day care centers, hair/nail salons, locksmiths, health/fitness and dance/gymnastics studios, small printing shops, gas stations which offer only limited automotive services (such as oil/lube, state inspections, tires and wheels, car stereo and alarm system installation, and other similar services which do not generally require overnight or long-term storage of vehicles), travel and auto rental agencies, car wash facilities (either automated or self-serve), and other similar businesses where the primary enterprise is to provide a service. Office uses would include professional offices for architects and engineers, lawyers, physicians, financial advisors, insurance and real estate agents, banking/financial institutions, telemarketing call centers, and other similar establishments. Most retail, service and office uses within this category should conduct all business activities indoors or within an enclosed area (i.e. not outside the building), and outside storage of goods and/or equipment should be minimal.
- B. The proposed use is consistent with the general purpose and intent of the applicable zoning district standards.
As noted in the zoning ordinance, the purpose of the General Business District is "to provide retail, service and office uses that serve the entire community as well as regional needs" and "is intended for use along the US Highway 80 corridor". The proposed use is "retail" in nature with some opportunity for regional reach depending on how many truck leasing facilities are nearby.. In terms of the general purpose and intent of the district, this use would appear to be in line with the accessory gas station use and its particular location within the district (corner access to two roadways). The uses that have developed along the southern Collins corridor have been retail, office, and auto services uses.
- C. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public right-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include, but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both to ameliorate such impacts.
When looking at how the surrounding area has developed, it would appear that most uses along the S Collins Rd corridor south of Clay Road are general office, restaurants, daycare, convenience, and automotive service uses. The proposed use could be considered an extension to the existing gas station use. Depending on the conditions of approval, (i.e. limitations on hours, # of vehicles, trailers) the proposed use could have a limited effect to the surrounding and area. The applicant has noted no additional improvements or modifications will be needed for the proposed use. The location of the trucks themselves will be at the rear of the property screened from the Collins Road right of way.

- D. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in neighborhoods.
The use is located within an existing gas station at the intersection of two main thoroughfares. No neighborhood traffic should be affected by the proposed use. Circulation for the additional vehicular traffic should be adequately accommodated on and off the site.
- E. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.
The proposed use would locate within a gas station/convenience store, which has been developed to accommodate traffic generated by the development. No additional roadway adjustments or traffic control devices would appear to be necessary to accommodate this use.
- F. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.
The applicant plans to locate the vehicles at the rear of the property. No construction is proposed. In terms of signage and displays, the applicant would be required to meet the standards noted in the zoning ordinance.
- G. The proposed conditional use complies with all other requirements of these regulations applicable to the proposed conditional use and, in particular, the requirements of Chapters 19 and 20.
The proposed use would appear to comply with all other requirements.
- H. The proposed conditional use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.
Overall, the proposed use is not detrimental to public health, safety or welfare.

Public Notice

Public notice was provided to the Town's Official Newspaper for publication on July 27th, 2016. Letters were also sent to property owners' within 400' on August 4th, 2016. The total number of letters sent was thirteen (13). As of the release of the staff memo, one (1) response had been received not in favor.

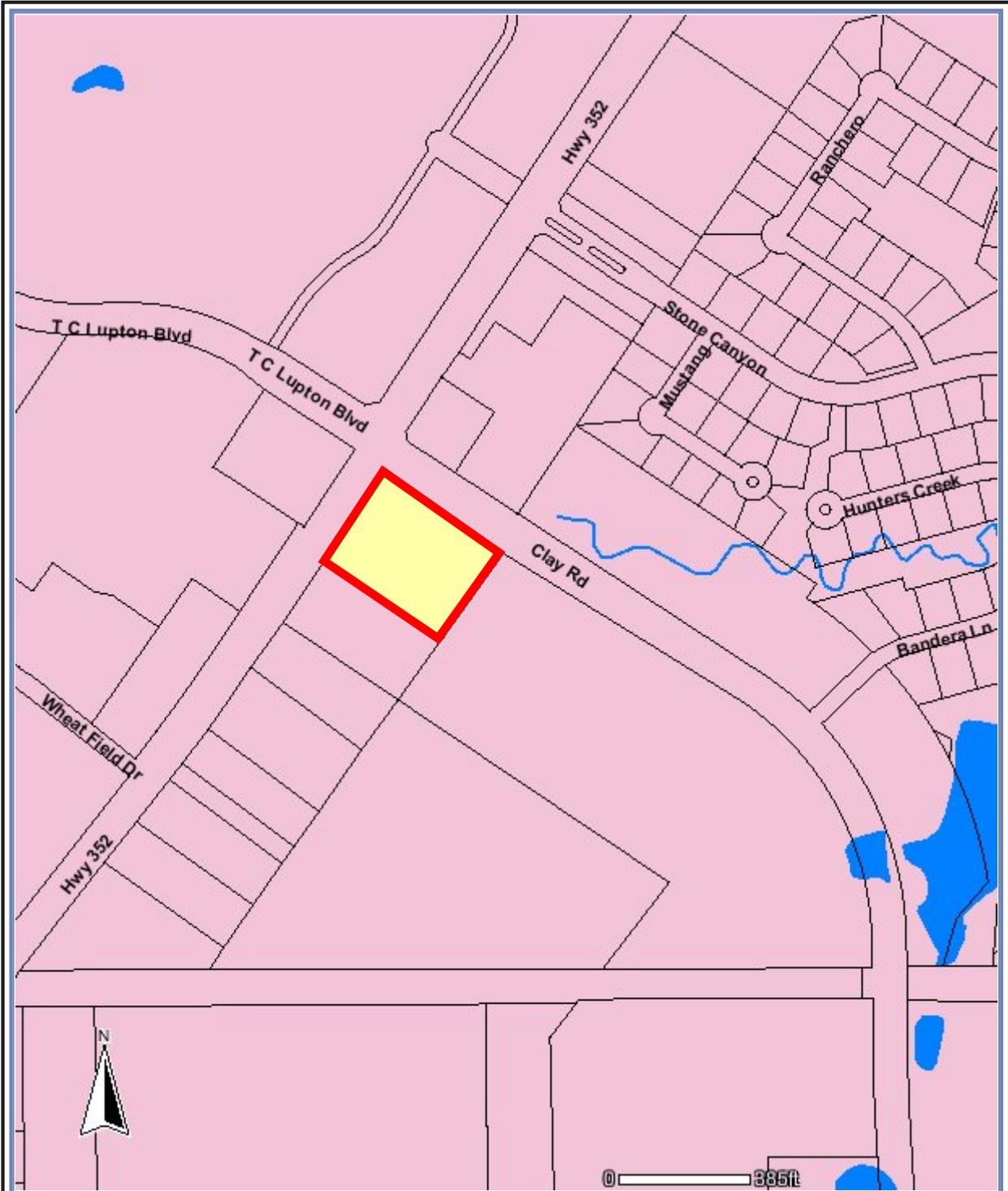
Staff Recommendation

Staff outlined comments to each of the standards above. Such comments were provided within underlined italics. Should the Planning and Zoning Commission determine that such use meets the standards noted above; Town staff would recommend the following conditions:

1. The applicant would need to submit any sign permit information for review and approval by the Town prior to placement on the property.
2. The applicant would need to obtain a Certificate of Occupancy for the unit from the Town of Sunnyvale. Application for such Certificate would need to be submitted to the Building Official.
3. All parking spaces shall be provided and be striped with the aisle clearly marked before a certificate of occupancy will be issued.

Attachments

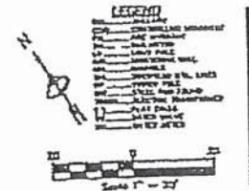
- Location Map
- Conditional Use Permit Application statement submitted by the applicant
- Dimensioned site plan submitted by the applicant
- Parking standards
- Notice response letter



**Dallas Central
Appraisal District**
www.dallascad.org

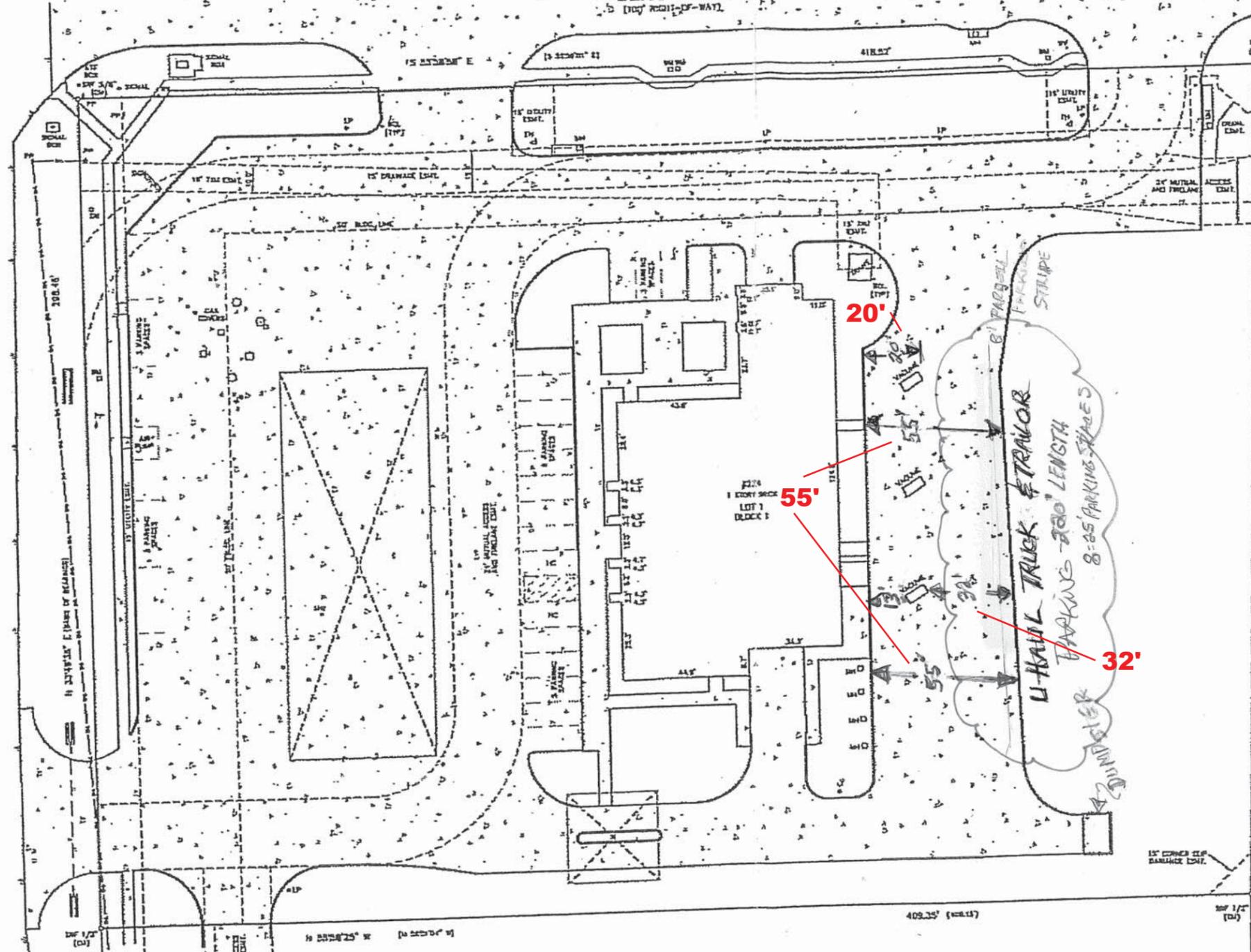
DISCLAIMER

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



SOUTH COLLINS ROAD TX-352
(100' RIGHT-OF-WAY)

CLAY ROAD
(100' RIGHT-OF-WAY)



- NOTES**
1. The following survey is based on Tower Convenience Store, an existing in the Town of Sunnyvale, Dallas County, Texas according to the Plan recorded in Instrument No. 2004-0000001, Dallas Public Records, Dallas County, Texas.
 2. The following land is from Schedule B, Government of The University, State of Texas, The University of Texas, 11-297103-FM, issued October 8, 2014.
 3. The following easement(s) and/or building footprint(s) affecting the subject property as shown on the Survey recorded in Instrument No. 2007-0000001, Dallas Public Records, Dallas County, Texas:
 - 24' mutual access and future easement throughout;
 - 15' utility easement along the horizontal lot line;
 - 5' building line along the horizontal lot line;
 - 24' mutual access easements in various portions and eastern corner;
 - 15' 1/2' corner clip easement as shown in the eastern corner;
 - 15' drainage easement across the western portion of lot;
 - 15' utility easement across the northern portion of lot;
 - 15' utility easements along the horizontal lot line;
 - 15' utility easement in the northern portion of the lot;
 - Drainage easement over the eastern street.

FLOOD NOTE
According to the FEMA, 6481000200K this property does lie in 'Zone X' and does not lie within the 100-year flood zone.

HEWARD PROPERTIES, LTD. A TEXAS LIMITED PARTNERSHIP
DOC. 20100007856
DALLAS, TX

T.C. W. Douglas DeWitt, LTD., Dallas, Texas and Robert T. Coats, The University of Texas
I hereby certify that this plan represents the results of a survey made by me and ground on the 10th day of November, 2014.
Signed on the 10th day of November, 2014.



BOUNDARY SURVEY
OF
**LOT 1, BLOCK 1
TOWER CONVENIENCE STORE**
KNOWN AS
224 SOUTH COLLINS ROAD
TOWN OF SUNNYVALE
SITUATED IN THE
T.D. COATS SURVEY, ABSTRACT No. 331,
DALLAS COUNTY, TEXAS

OCAMPO BROTHERS, LTD. A TEXAS LIMITED PARTNERSHIP
DOC. 43483012
DALLAS, TX

TerraCorp Associates LLC
3950 Broadway Blvd. Ste 236
Garland, TX 75043
ph. 972-805-4526, fax 972-805-4526
www.terracorpsurvey.com TPLS Reg No. 101858-00

DRAWING CONTAINED HEREIN

2. At least 10 spaces must be provided for each non-residential establishment.
3. Parking spaces for handicapped and disabled shall meet the requirements of the Americans with Disabilities Act (ADA) and the Texas Architectural Barriers Act.
4. Driveways used for ingress and egress shall be a minimum of 25 feet wide. Interior traffic aisles not adjacent to the rear of a parking space shall be not less than 20 feet wide.
5. Aisle widths between rows of parking spaces shall be according to Chart 19.2

Chart 19.2
Parking Lot Dimensional Standards

Parking Angle	Aisle Traffic	Minimum Aisle Width
90 degree	Two way	24'0"
90 degree	One way	Not permitted
60 degree	Two way	20'0"
60 degree	One way	17'6"
45 degree	Two way	20'0"
45 degree	One way	12'0"

6. All parking spaces shall be provided and be striped with fire lanes clearly marked before a certificate of occupancy will be issued.
 7. The perimeter of all parking lots and interior landscaped areas shall be curbed with concrete. In industrial zoning districts, concrete wheel stops may be placed at the head of each perimeter parking space in lieu of curbs.
- G. When and where necessary for fire and safety purposes, specially designated traffic lanes may be required on certain sites. The designated area shall be kept clear of all parking, storage, etc. at all times.
- H. Large parking areas should be subdivided into smaller separated lots. In general, no more than 100 spaces should be included in a single area without significant landscape or building separation between connected lots.
- I. Each parking space shall be a minimum of nine (9) feet in width and 20 feet in length.



Notice of Application for
Conditional Use Permit
Town of Sunnyvale

The Town of Sunnyvale has received a request by Bill Douglass for approval of a Conditional Use Permit for Truck Leasing – excluding semi or heavy load trucks. The property is located at or about 224 South Collins Road. The purpose of the conditional use permit is to allow for leasing of small trucks / vans for a U-Haul Company.

The Planning and Zoning Commission will hear this application on Monday, August 15, 2016 and the Town Council will consider the application on either Monday, August 22, 2016 or Monday, September 12, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

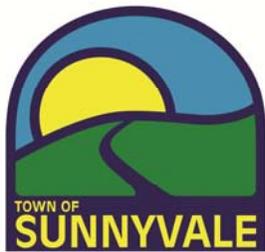
The Conditional Use Permit application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact Rashad Jackson, Director of Development Services at 972-203-4103.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

- I am in favor of the Conditional Use Permit
- I am opposed to the Conditional Use Permit

Explanation:

Signature:	<i>RKS Sunnyvale, LLC</i>	<i>RKS Sunnyvale II, LLC</i>
Printed Name:	<i>Rick Sheldon, President</i>	<i>Rick Sheldon, President</i>
Address:	<i>% Rick Sheldon Real Estate 601 Sonterra Blvd. San Antonio, TX 78258</i>	<i>% Rick Sheldon Real Estate 601 Sonterra Blvd. San Antonio, TX 78258</i>
Date:	<i>Aug. 11, 2016</i>	<i>Aug. 11, 2016</i>



Town of Sunnyvale

August 15, 2016

**Prepared By: Rashad Jackson, AICP
Director of Development Services**

Summary:

APPLICANT: TOWN OF SUNNYVALE

REQUEST: AN ORDINANCE AMENDING ZONING ORDINANCE NO. 324 DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NO. 525 AND AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE BY ADOPTION OF AMENDMENTS TO THE TEXT OF THE TOWN'S ZONING ORDINANCE INCLUDING WITHOUT LIMITATION, CHANGES TO CHAPTER 17A, MASTER PLANNED DEVELOPMENT DISTRICT (MPD), ESTABLISHING A NEW MINIMUM DISTRICT SIZE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Background & Analysis

Direction was provided to Town Staff to propose an amendment to the zoning ordinance to lower the minimum required acreage for Master Planned Development Districts (MPD). Town Staff has prepared such an amendment for review and consideration by the Planning & Zoning Commission and Town Council. The proposed text change, although minor, will expand the opportunities for high quality development throughout the Town. The current minimum acreage requirement limits opportunities for some retail development in certain areas in Town. Many of the remaining retail parcels along our primary corridors do not meet the minimum acreage requirement for a MPD. As it exists, possible development on parcels less than 15 acres is restrained to the minimum development standards of the base zoning districts (i.e. Local Retail District, General Business District).

It is recognized that many of today's retail developers typically do not want to use conventional zoning or minimum development standards for their projects. Our zoning ordinance stipulates... "MPD districts are generally intended to encourage flexible and creative planning, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality development for the community". A MPD with a lower minimum acreage requirement would allow for greater flexibility for new development and redevelopment. It would provide the Town the ability to best utilize smaller retail parcels in exchange for greater benefits than would otherwise be achieved through conventional zoned development.

Overall Pros and Cons for Planned Development Districts ⁽¹⁾

Pros

- Greater flexibility;
- Ability to negotiate;
- Ability to assess and mitigate site specific impacts;
- Ability to address public concerns;
- Ability to compensate for deficiencies in standard zoning districts;
- Ability to better regulate large scale mixed use development;

Cons

- Possible contract zoning (inappropriate bargaining);
- Time consuming to establish and administer PD districts;
- More vulnerable to politics;
- Erosion of standard zoning requirements;
- Over use;
- Lack of an automatic revocation if project is not built;
- Manipulation of regulations to gain approval;
- Lack of consistency among districts; and,
- Difficulty in administering regulations when the district is split among multiple owners.

(1) Frank F. Turner, FAICP and Terry D. Morgan, Esq. A Guide to Urban Planning in Texas Communities: Introduction to Planned Development Zoning. American Planning Association – Texas Chapter, 2008.

Planned Development District minimum acreage requirements by Town

- Forney : 5 acres
- Plano: no PD district may be established smaller than 5 acres unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or related study.
- Garland : Retail or Commercial sales and service on minimum 10 acres; Office or Health Services on minimum 5 acres; Business park on minimum 10 acres
- Frisco: A PD district requires a minimum of fifteen (15) contiguous acres. Acreage may be less than fifteen (15) acres when carrying out the recommendations of the Comprehensive Plan.
- Euless: A “PD” district may be authorized only on sites containing five or more acres, except in infill or transition areas where there shall be no minimum size requirements.

Minutes - Planning and Zoning Commission - February 21, 2011

Motion was made by Member Egan to approve the text amendments as presented with one change to 17A.1.D changing the minimum acreage from five (5) contiguous acres to fifteen (15) contiguous acres as recommended by Sherry Sefko and forward for to the Town Council consideration). Motion seconded by Member Kirkland. Motion carried unanimously.

As the minutes above note, the initial recommendation was to set a minimum acreage of 5 acres for the establishment of a MPD district. It was further stated by staff (Sherry Sefko) that it would be appropriate to leave it at 5 acres or increase it to 10 – 15 acres. The P&Z at the time elected to go with 15 acres. The change may have been made to cater to large scale master planned developments such as Sunnyvale Centre. Sunnyvale Centre, the only MPD within the Town, is over 70 acres in size.

Public Notice

Public notice was provided to the Town's Official Newspaper for publication on July 27, 2016. Given that this is a text amendment initiated by the Town, which does not specifically affect one property, written letters were not provided to specific property owners.

Staff Recommendation

Town Staff is seeking approval. Staff recommends the minimum acreage be set at five (5) acres. A lower minimum acreage of five (5) would help to further quality retail development opportunities along prime corridors throughout the Town.

Attachments

Proposed Ordinance

ORDINANCE NO 16-XX

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 324 DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NO. 525 AND AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE BY ADOPTION OF AMENDMENTS TO THE TEXT OF THE TOWN'S ZONING ORDINANCE INCLUDING WITHOUT LIMITATION, CHANGES TO CHAPTER 17A, MASTER PLANNED DEVELOPMENT DISTRICT (MPD), ESTABLISHING A NEW MINIMUM DISTRICT SIZE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan policies provide for implementation, in part, through adoption of comprehensive amendments to the Town's zoning ordinance text and zoning map; and

WHEREAS, notice of the public hearings was published and posted according to state law; and

WHEREAS, the Town Council has received and considered the recommendations of the Planning and Zoning Commission; and

WHEREAS, the Town Council hereby finds that it is in the best interest of the Town of Sunnyvale, taking into consideration the public health, safety, and welfare, to adopt amendments to the text of the zoning ordinance as set forth herein;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Sunnyvale, Texas:

SECTION 1. That the foregoing recitals are found to be true and correct in all respects.

SECTION 2. That the text of the zoning ordinance, Ordinance No.324, as amended, of the Town of Sunnyvale, Texas (the "Zoning Ordinance Text") is hereby further amended as shown in Exhibit 1, which is attached to this Ordinance, and which is incorporated by reference herein as if fully set forth, to amend Chapter 17A, Master Planned Development District. The proposed zoning amendments, as set forth in Exhibit 1 attached hereto, are hereby adopted and the Zoning Ordinance Text shall be revised accordingly.

SECTION 3. That it is the intent of the Town Council that each paragraph, sentence, subdivision, clause, phrase, or section of the ordinance be deemed severable and should any such paragraph, sentence, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of this ordinance left standing with the validity of any code or ordinance as a whole.

SECTION 4. All ordinances and provisions of the Town of Sunnyvale, Texas, that are in conflict with this Ordinance shall be and the same are hereby superseded to the extent in conflict, and all ordinances and provisions or ordinances of said Town not so expressly superseded are hereby retained in full force and effect. Nothing herein is intended to affect existing lawful uses or development applications approved or on file before the effective date of this ordinance and provisions of the Zoning Ordinance that have been superseded by this ordinance shall remain in effect for purposes of governing such uses or applications.

SECTION 5. That this ordinance shall take effect (5) calendar days from the date of its publication and passage by the Town Council.

PASSED AND APPROVED by the Town Council, the Town of Sunnyvale, on the 12th day of September, 2016.

Mayor Town of Sunnyvale

ATTEST:

Town Secretary

EXHIBIT 1

CHAPTER 17A – MASTER PLANNED DEVELOPMENT (MPD) DISTRICT

Added by Ord. No. 525 on 2/28/2011

17A.1 PURPOSE, APPLICABILITY, NATURE AND SIZE OF DISTRICT

- A. Purpose. The purpose of a Master Planned Development (MPD) zoning district is to provide for the development of land as an integral unit for single or mixed non-residential uses in accordance with the MPD concept plan that may include uses, regulations and other requirements that vary from the provisions of other zoning districts. MPD districts are generally intended to encourage flexible and creative planning, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality development for the community than would result from the use of conventional (or straight) zoning districts.
- B. Applicability. An MPD district may only be established if at least one of the following circumstances exists:
1. The land, or adjacent property that would be affected by the development of the land, has sensitive or unique environmental features requiring a more flexible approach to zoning and clustering of uses, or special design standards, in order to afford the best possible protection of unique qualities of the site or the adjacent property;
 2. The land is proposed for development as a non-residential or mixed-use development requiring more flexible and innovative design standards, or requiring special design standards to ensure high quality development;
 3. The land serves as transition between different and seemingly incompatible land uses;
 4. The land is of such a character that it is in the community's best interest to encourage high quality development through flexible development standards to further the goals and objectives of the Town's Comprehensive Plan; or
 5. The land consists of unusually configured parcels that cannot be developed efficiently under normal base district standards.
- C. Nature of the District. Each MPD district shall be based on the conventional zoning district(s) that most closely resembles the intensity and type of development anticipated. Development in an MPD district must be consistent with a concept plan that identifies the boundaries of each base district and is incorporated as part of the district by the adopting ordinance for the district.
- D. Minimum District Size. The minimum acreage for a MPD District shall be five (5) contiguous acres.