

June 20, 2017, Planning and Zoning Commission Meeting Minutes

Public Hearing – Conduct a Public Hearing and consider a request to amend the Development Regulations and adopt a Concept Plan, Building Elevations, and Open Space Exhibit for a portion of Planned Development “PD” 121, said portion being 10.765± acres situated in the Thomas G. Kennedy Survey, Abstract No. 500; generally located north of Montgomery Boulevard and west of US Highway 75. (ZN-40717-0002) [Davis at Montgomery Ridge]

Ms. Madhuri Mohan, Senior Planner, presented the item to the Commission. She stated the item is a Public Hearing for a PD Amendment for Davis at Montgomery Ridge. The property is generally located north of Montgomery Boulevard and west of US Highway 75. The property to the north is zoned Planned Development PD No. 76 Single-Family Residential R-7. The properties to the west, south (across Montgomery Boulevard), and east are zoned Planned Development PD No. 121 Single-Family Residential R-7, Multi-Family Residential MF-18, and Corridor Commercial CC.

Ms. Mohan stated that Planned Development PD No. 121 was adopted in August 2015 for Montgomery Ridge Phase II. She noted that the intent of this PD was to create a unique mixed-use development that integrated diverse housing, supportive retail and commercial services, and office space within a pedestrian oriented environment. The original PD comprised of approximately 92± acres and adopted a Concept Plan which subdivided the property into various “character zones.” She stated that the applicant is requesting to amend the Development Regulations and adopt a Concept Plan, Building Elevations, and Open Space Exhibit for an urban residential development for a character zone which was originally slated for multi-story buildings with structured parking.

Ms. Mohan stated that the property is approximately 10.765± acres. She presented the Concept Plan and explained that it shows two buildings – Building I (on the eastern side) and Building II (on the western side). She noted that Building I will be a 503,526 square foot building with a 203,214 square foot structured parking garage. There are a total of 363 units within the building comprising of one, two, and three bedroom units. The one bedroom units make up 58% of the total units (211 units). The two bedroom units make up 39% of the total units (141 units). The three bedroom units make up 3% of the total units (11 units). Building II will be a 343,890 square foot building with a 145,895 square foot structured parking garage. There are a total of 252 units within the building comprising of one, two, and three bedroom units. The one bedroom units make up 60% of the total units (152 units). The two bedroom units make up 37% of the total units (93 units). The three bedroom units make up 3% of the total units (7 units). She noted that both buildings will be a wrapped product type with structured parking in the center similar to the Luxe and other recently passed developments.

Ms. Mohan stated that a majority of the parking for both buildings will be provided in the structured parking garage. She stated that for Building I, 97% of the parking for the development will be provided in the structured parking garage. The remaining 3% of the parking will be provided as surface parking spaces. The number of parking spaces provided equates to a parking ratio of 1.70 spaces/unit. Ms. Mohan noted that these ratios were similar to other recently approved urban residential developments. For Building II, 99% of the parking for the development will be provided in the structured parking garage. The remaining 1% of the parking will be provided as surface parking spaces. The number of parking spaces provided equates to a parking ratio of 1.71 spaces/unit.

Ms. Mohan stated that there are three access points into the development. All three access points are on Montgomery Boulevard (which ultimately connects to both Bethany Drive and US Highway 75) – one through a public right-of-way (Marian Drive) and two through a 26’ Firelane, Access, Utility, and Drainage Easement.

Ms. Mohan then presented the Open Space exhibit. She stated that for Building I, approximately 1.70± acres of open space are provided. For Building II, approximately 0.75± acres of open space are provided. She explained that the Open Space Exhibit shows the open space primarily distributed around the perimeter of the two buildings. She noted that the Open Space Exhibit also specifies five-inch caliper trees as an enhanced buffer between this property and the property to the north. Both of the urban residential buildings include courtyards offering several amenities such as enhanced paving, fire pits, outdoor dining, grills, and lounge areas. Additionally, Ms. Mohan stated that both buildings include a rooftop pool with cabanas, lounge chairs, and seating areas, decorated with raised planters. She noted that it would be the first of its kind in Allen to offer rooftop recreational opportunities. She stated that a trail easement is provided on the southeastern side of the property for a potential connection to existing trails.

Ms. Mohan stated that the screening provided for the property is an eight-foot masonry screening wall on top of a variable retaining wall which ranges between zero feet and eight feet. She noted that this means that the wall could be as tall as sixteen feet in some locations, with an eight-foot retaining wall and an eight-foot screening wall. She stated that the wall will be built by the northern property along the northern perimeter of this property. This applicant will provide enhanced landscaping along the northern property boundary as an additional buffer.

Ms. Mohan stated that the primary building materials are stone, brick, and stucco. Accent metal and woodtone siding is also proposed. Additionally, she noted that the building height varies between 4-5 stories. She stated that the fifth story would be a garden-level story which steps below the grade. The maximum height of the ridge line will be 73 feet for Building I and 69 feet for Building II, and the maximum plate height of the roof will be at 55 feet for both buildings. The maximum height of the garage for both buildings will be 7 stories with a maximum height of 79 feet (inclusive of the roof and the cabana). She noted that, especially inclusive of the height of these buildings, this area is well suited for an urban residential product. She stated that it is a good continuation of the Watters Creek development and that this area supports this density. She noted that the original Planned Development allowed the use of urban residential through a Specific Use Permit. She stated that staff recommended the applicant go through the Planned Development Amendment process instead so that staff could require greater standards of the development and so that the developer was able to alter setbacks and other deviations for their design. She noted that the setbacks within this proposed PD are necessary to make the density on the site work, as it supports the structure parking and the amenities. Ms. Mohan stated that early in the process, there were conversations with the developer concerning the northern section of the property as it is relatively close to the Angel Field East neighborhood. She stated that the developer provided an enhanced landscape buffer along this eight-foot masonry screening wall and provided cross-sections to demonstrate the impact of the proposed buildings' height. She noted that these cross-sections made staff more comfortable with the proposed height. She then showed the cross-sections of Building I and Building II along the northern border. With these images, she demonstrated how the grade differentiation can make the five stories appear to be four stories. She noted that this is consistent with the original Planned Development and that it has a minimum height of four stories. She also stated that the original Planned Development does not have any rear yard setback requirements. She stated that this creates a situation where an office building can be built, by right, up to fifty-five feet with no buffer. She stated that the developer, with the minimum setback of at least forty-six feet from the property line, additional landscaping, and the step down of the four and five stories, has addressed those potential concerns.

Ms. Mohan stated that the development regulations include the permitted use and proposed regulations for parking, setbacks, open space, density, and building height. She highlighted:

1. The permitted use shall include "dwelling, Multi-family," in addition to all other uses currently permitted.
2. The property shall not be developed with less than 1.70 acres of open space for Building I and no less than 0.75 acres of open space for Building II.

3. The parking ratio for Building I shall be 1.70 spaces per dwelling unit and for Building II shall be 1.71 spaces per dwelling unit.

Ms. Mohan noted that the PD Amendment request has been reviewed by the Technical Review Committee and meets the standards of the *ALDC*.

Ms. Mohan indicated that the applicant had a presentation.

The applicant, Gene Babb, 17304 Preston Road, Dallas, TX, stated that he had a series of pictures. He stated that the development group had been before the Commission before on two other projects in Allen, one on Watters Road and McDermott Drive and the other adjacent to Top Golf. He indicated that they only do multi-family projects, not office or commercial. He stated that they are a family-owned and operated business that is vertically integrated. He stated that the company manages its own projects and construct them. He showed an example of a project in Raleigh, North Carolina, including the interior, and an example of a similar project in Atlanta, Georgia. Mr. Babb showed elevations from the project near Top Golf and demonstrated how the split between four and five stories would work for this project as well. He showed renderings of the pool on top of the parking deck for the project in Atlanta, Georgia, which would also be implemented within this development. He also showed an example of a project in Frisco, Texas, that demonstrated the four and five story split. He demonstrated how they work with the lay of the land, with the five-story transitioning to four stories as the elevation increases.

Chairman Cocking opened the public hearing.

Chairman Cocking closed the public hearing.

Chairman Cocking stated that there were no written correspondences on the item.

Commissioner Hollingworth stated that he did not have questions or concerns.

2nd Vice-Chair Platt stated that the presentation was thorough and that he was satisfied with the information provided.

Commissioner Orr stated that the applicant did a good job with the elevations and that he believes it will fit the area.

Chairman Cocking noted that there was a substantial drop in the percentage of one-bedrooms, from sixty-five percent, where comparable projects have been at seventy-five or eighty-percent range. He asked staff if the school district had reviewed the project for any concerns.

Ms. Mohan stated that the school district did express concerns.

Mr. Babb stated that their typical suburban, three-story, walk up projects have yielded roughly 0.2 students reside per unit. He noted that a development like this does not lend itself to large families and yields about 0.1 students per unit.

Chairman Cocking questioned if the school district was involved in the review of this development and if they had any concerns.

Ms. Mohan stated that while there were concerns, through the studies, staff is satisfied that the development will not significantly increase the amount of students for the school district.

Chairman Cocking stated that when this PD first came through two years ago, he raised concerns about the building height along the northern border adjacent to the residential development. They had determined special heights and conditions to make it more mixed use. He stated that he applauds the development that is happening overall in the area and that realtors in the area are stating that there will be a high-rise development in this location. He noted how open the realtors are about the townhomes, apartments, and high-rises to potential homebuyers. He stated that they are stepping outside the standard mixed-use with residential adjacency. He noted the standard multi-family restriction is that anything within one hundred feet of a residential property is to have a two-story maximum height. He noted that this proposed development is at forty-six feet. He stated that he has concerns which he raised with the three stories originally proposed. This development is now a four to five story building within forty-five feet of a residential backyard. Chairman Cocking also noted that there has been a development in Allen recently where no balconies or translucent windows were proposed adjacent to a residential use. He stated that he has concerns with potential privacy issues. He asked for the applicant's perspective on the issue.

Mr. Babb stated that he understands the concern. He noted that the enhanced landscaping of five-inch caliper trees will eventually be over twenty to twenty-five feet tall. He also pointed out the retaining wall, the slope of the land, and the difference of grade would prevent any major intrusion into the single-family and vice versa.

Chairman Cocking stated that he understands, but that the sight lines demonstrate that anyone higher than the third floor has a full view into every window of the houses behind the proposed development. He noted that this is concerning. He stated that he tried to get an idea of what the development will be and that he drove down Bethany Drive (westbound) to see a four-story building. He noted how overwhelming this building feels. Chairman Cocking stated that it is a rule that the City has had that anything within one hundred feet adjacent to a residential district needs to be two-story, and that he would like to see this continue. He noted that there has been another urban residential project where the buildings were required to be at two stories within the one hundred feet boundary (at Custer and 121). He noted that that is his preference but that he is just one voice of the group.

Mr. Babb noted that he understood. He stated that the original zoning was at four stories next to residential.

Chairman Cocking stated that the original zoning was four stories but that the road continued through the proposed buildings. He noted that the lot to the north was eighty-five to ninety feet in depth, meaning that because of the setbacks, a building could only be about sixty feet in depth. He stated that a sixty-foot deep building would not be built to four stories because of the structural limitations and parking requirements involved. He noted that while three stories is pushing the limits, that is what it could be with the way the zoning was laid out. He stated that this PD changes that and pushes those heights right to the edge. He noted that the original zoning did say four stories, but that was part of the concept plan provided at that time, and the way that it was laid out prevented any future buildings from being that high.

2nd Vice-Chair Platt stated that he was paying attention to the line of sight and noted that the five-inch caliper trees will, in a few years, block over ninety-percent of the lines of sights that will be open when the trees are planted. He noted that Live Oaks stay full nearly year-round with the exception of a few weeks. He noted that it may be stretching it but that this was a decent plan.

Commissioner Hollingsworth noted that the project makes sense and that people moving in know what will be built there. He stated that while there are standards and procedures in place, his opinion is that people have a choice to buy or not to buy property adjacent to an urban residential development. He stated that it was a pretty cool concept.

Commissioner Orr stated that he agreed that if people buy in that area and know what will be developed, then that is their choice. He noted that, in some cases, it may be a positive to be adjacent to a nice looking high rise. He stated that the trees will mitigate some of the view issues. He noted that he did not have a problem with it.

Motion: Upon a motion by 2nd Vice-Chair Platt and a second by Commissioner Hollingsworth, the Commission voted 3 IN FAVOR, and 1 OPPOSED to recommend approval of the request to amend the Development Regulations and adopt a Concept Plan, Building Elevations, and Open Space Exhibit for a portion of Planned Development “PD” 121; generally located north of Montgomery Boulevard and west of US Highway 75, for Davis at Montgomery Ridge.

The motion carried.