

CARROLTON TEXAS

P&Z MEETING DATE: August 7, 2008

DATE: July 17, 2008

TO: Planning and Zoning Commission

FROM: Lori Levy, Planning and Development Manager *LL*

SUBJECT: PUBLIC HEARING FOR CASE NO. 08-08Z1 1301 WHITLOCK LANE

BACKGROUND:

This is a request for approval of an amendment to PD-173 to incorporate this property.

The site is approximately 0.617 acres and is currently developed with a one-story brick veneer house. The site is located at 1301 Whitlock Lane Lane and is on the southwest corner of Whitlock Lane and Cottonwood Drive. The property is currently zoned for the (SF-8.4/16) Single-Family Residential District.

FINANCIAL IMPLICATIONS:

There are no financial implications on current or future operating budgets regarding this request.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends **APPROVAL** with stipulations.

ATTACHMENTS:

- Result sheet
- Technical Comments
- Site Zoning Map
- Aerial Photo
- Photo
- Comment Cards

RESULT SHEET

Date: 07/17/08

Case No./Name: 08-08Z1 1301 WHITLOCK LANE

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** with stipulations.

B. P&Z RECOMMENDATIONS from P&Z meeting: 08/07/08
Result:/Vote:

**TECHNICAL COMMENTS – ZONING
PLANNING AND ZONING COMMISSION**

Case Number/Name: 08-08Z1 1301 WHITLOCK LANE

Meeting Date: 08/07/08
Revision Date: 07/17/08
Case Coordinator: Christopher Barton

GENERAL PROJECT INFORMATION

SITE ZONING: (SF-8.4/16) Single-Family Residential District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	(SF-12/20) Single-Family Residential District	Single-Family Homes(across Whitlock Lane Lane
SOUTH	(SF-8.4/16) Single-Family Residential District	Single-Family Homes
EAST	(SF-8.4/16) Single-Family Residential District	Single-Family (across Cottonwood Drive
WEST	PD-173 for the (O-1) Office District	Single-Family Home

REQUEST: Amend PD-173 for the (O-1) Office District to include this property to allow a professional office use in the existing single-family home.

PROPOSED USE: Professional Office

ACRES/LOTS: 0.617 acres/1 Lot

LOCATION: Southwest corner of Whitlock Lane and Cottonwood Drive

HISTORY: According to the Dallas Central Appraisal District, the existing brick home on the site was built in 1954.

The subject property has never been platted.

The current residential zoning was established in 1988 when the current zoning ordinance was adopted.

COMPREHENSIVE PLAN: Single-Family Detached Residential uses

THOROUGHFARE PLAN: Whitlock Lane is designated an (A6D) six-lane divided arterial. Cottonwood Drive is a Local Street.

OWNER: Victor Burgos

REPRESENTED BY: Victor Burgos

STAFF ANALYSIS

APPLICANT'S REQUEST

Incorporate 1301 Whitlock Lane into PD-173 to allow (O-1) Office District uses.

BACKGROUND

- The subject property is currently occupied by a brick veneer, single-family home and three small accessory buildings. According to DCAD records, the existing home was built in 1954. Given the appearance of the structure, this date seems reasonable.
- The subject property is not platted.
- The applicant desires to remodel the existing single-family dwelling and use it as a professional office for his real estate sales and appraisal business.
- Whitlock Lane has developed into a major arterial street, and is currently on a project list for widening, although funding has yet to be obtained. Right-of-way acquisition and project design are currently underway. As part of the right-of-way acquisition, 1305 Whitlock Lane, immediately adjacent to this property, on the corner of Whitlock and Old Denton, will be acquired and demolished by the City.
- The subject property at 1301 Whitlock Lane is currently occupied by a renter.

CURRENT ORDINANCE REQUIREMENTS

PD-173 has the current requirements:

- a. (O-1) Office uses shall be allowed on the property;
- b. A minimum 6' masonry screening wall along the eastern property line shall be required;

- c. The building setbacks as shown on the site plan for the existing building only are allowable. However, all setback requirements of the (O-1) Office District will apply to new construction;
- d. The building height as shown for the existing building only is allowable. However, the building height requirement of the (O-1) Office District will apply to new construction;
- e. One (1), three (3) inch caliper shade tree, 10-12 feet in height at the time of planting, for each one fifty (50) feet of street frontage or fraction thereof, plus three (3) ornamental trees, 6-8 feet at the time of planting, for each one hundred (100) feet of street frontage or fraction thereof, and sixteen (16) five (5) gallon evergreen shrubs, 24 inches in height at the time of planting, for each fifty (50) feet of street frontage or fraction thereof must be installed and maintained in accordance with the Landscape Ordinance within the existing 40' landscape buffer along Whitlock Lane Lane, and within the 13.5' landscape buffer along Old Denton Road.

STAFF ANALYSIS

Because the existing single-family dwelling (1305 Whitlock Lane) at the corner of Old Denton Road and Whitlock Lane will be acquired and demolished by the City, it is appropriate to review the requirements of PD-173 for continued appropriateness. Several existing requirements do not further the goal of maintaining a low-intensity, residential character. Staff proposes that the requirements of PD-173 be revised. Specifically, the requirement for a masonry screening wall abutting existing single-family development and for commercial-style landscaping along Whitlock Lane are inconsistent with residential character.

Because Whitlock Lane Lane has developed into a major arterial street, single-family residential homes fronting on it may no longer be appropriate. A low-intensity office use would provide a buffer between the traffic and remaining single-family residential homes to the south. Other homes along Whitlock Lane do not front onto the arterial street.

Uses allowed on the subject property should also include single-family residential uses to allow flexibility for the market to determine precisely when a professional office use becomes the "higher and better" use for this property.

Access to an office use from a residential street normally would not be allowed. However, in this case the proposed office use would be strictly limited, and any traffic generated would be indistinguishable from that generated by a residential use. Also, traffic generated by the office use would be expected to move as quickly as possible to Whitlock Lane, and not travel through the residential neighborhood.

Access to a residential alley from an office use normally would not be allowed. However, in this case the existing “alley” has never been dedicated to the City, and so the right of the public to use it is not clearly established.

Staff is working with the adjacent owner of the “alley” (a second owner, not part of this case) regarding this matter, and a future case involving this property may appear before the Planning and Zoning Commission. As part of the overall resolution of the “alley” question, the “alley” may be re-routed such that it no longer intersects with Whitlock Lane. Having the alley intersect Whitlock Lane so close to Old Denton Road and Cottonwood Drive creates a possible traffic hazard of greater risk than having a small number of office users drive down a residential alley.

In this instance, a public access easement across 1301 Whitlock Lane is intended to allow access for the primary benefit of the residential alley users – allowing them legal access to Cottonwood Drive. Access to the alley from 1301 Whitlock Lane will be incidental, and given the low traffic generation expected from the office use there should be no adverse effect on the residential homes to the south.

STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the request to change the zoning to a Planned Development for the (O-1) Office District.

URBAN DEVELOPMENT

1. PD-173 shall be revoked in its entirety and re-established to include 1305 and 1301 Whitlock Lane Lane, with the following development standards:
 - a. Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-8.4/16) Single Family Residential District and also professional office uses as defined in the North American Industry Classification System, 2007 edition, as published by the Bernan Press including the following: Sector 52 Finance & Insurance; Sector 53, Real Estate & Rental & Leasing; Sector 54 Professional, Scientific & Technical Services; Sector 55 Management of Companies & Enterprises; Sector 92 Public Administration.
 - b. Development on the property shall be residential in appearance and character.
 - c. Development standards shall be those found in Section L, Article VII for the (SF-8.4/16) Single-Family Residential District, with the additional limit that no structure constructed on the property may be greater than 2,100 square feet gross floor area.

- d. Parking for office uses shall not be allowed between the front or side building setback line and the street.
- e. No more than six off-street parking spaces may be constructed on the site.
- f. No driveway to Cottonwood Drive shall be more than 20 feet in total width, not including curb return radii.
- g. No masonry screening wall shall be required.
- h. The existing accessory buildings shall be removed prior to the issuance of a Certificate of Occupancy for any office use. No new accessory buildings shall be permitted for any office use.
- i. Access to the off-street parking lot may be from Cottonwood Drive and/or from a mutual access easement to the "alley" on the west side of the property. Said mutual access easement shall allow public access through the parking lot to the "alley" on the west side of the property, and shall be established by separate instrument and recorded with the deed records of Dallas County prior to any Certificate of Occupancy for any professional office use.
- j. Signage on the site shall be limited to the following:
 - i. A single ground monument sign no greater than 3 feet in height by 4 feet 10 inches in width (copy area). Overall height of the sign shall not exceed 5 feet, including all decorative elements. Said sign shall be of a durable material approved by the City Manager or designee, and shall not be internally illuminated.
 - ii. One sign mounted flush to the building face, not exceeding 3 feet in height by 4 feet 10 inches in width (copy area) and similar in appearance and material to the ground monument sign may be placed on the north façade of the building.
 - iii. One sign mounted flush to the building face, not exceeding 2 feet in height by 3 feet 2 inches in width (copy area) and similar in appearance and material to the ground monument sign may be placed facing the off-street parking lot.
 - iv. All aspects of all signage for the property shall be approved by the City manager or designee for attractiveness, legibility and compatibility with the existing building and with the surrounding neighborhood.

2. Access may be provided to a new parking lot behind (south of) the existing building by using the existing driveway and extending it through the existing garage – either by removing the rear (south) wall of the garage, or by demolishing the garage in its entirety.

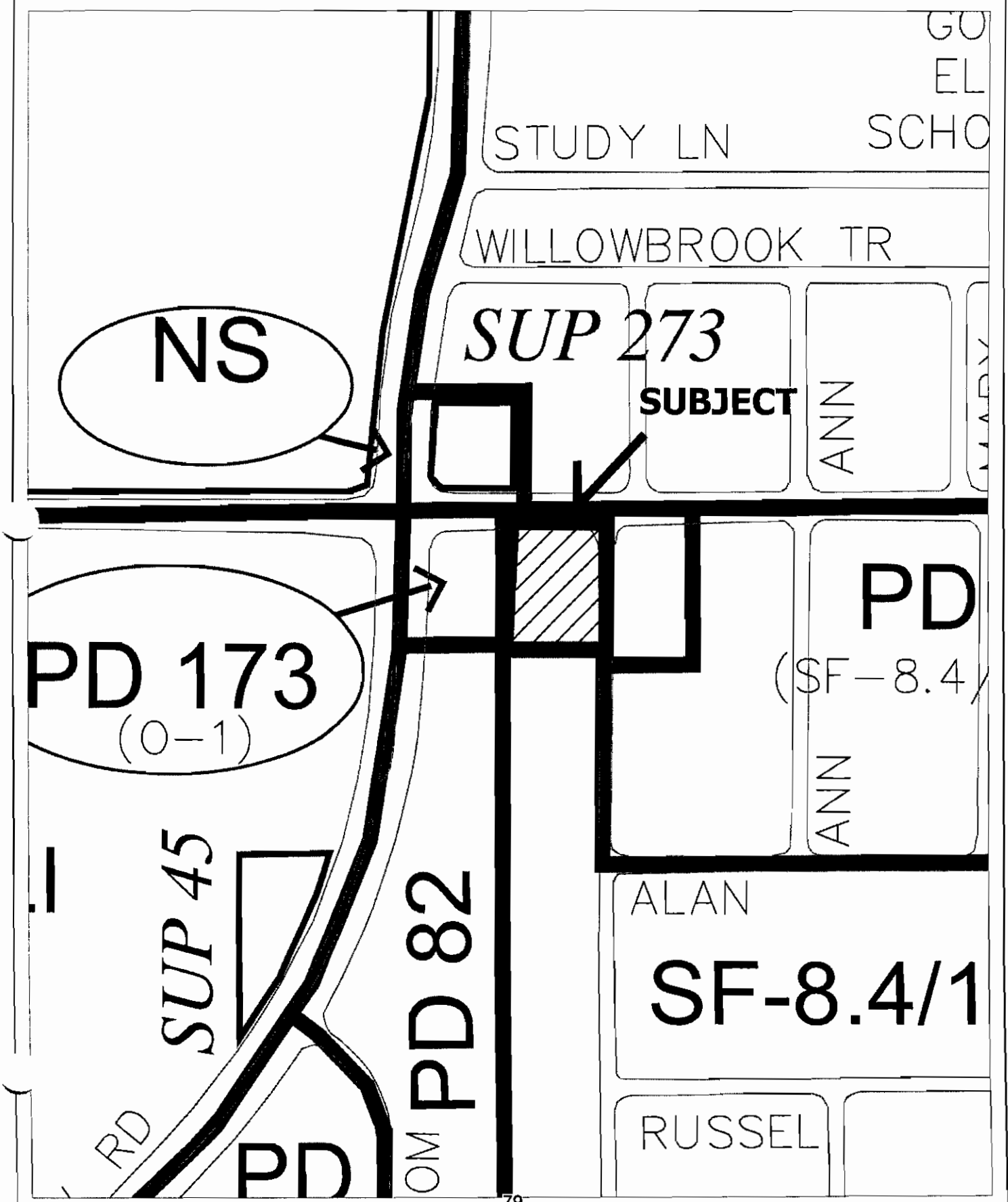
CITY ARBORIST

3. Significant existing trees are on the site. A tree survey shall be provided.
4. Off-street parking for any office use shall be screened from adjacent residential property to the south by a series of *Nandina Compacta* or *Abelia Grandiflora* planted 30 inches on center. Each plant shall be 24 inches in height at the time of planting. Alternative plant species may be approved by the City Manager or designee.

July 3, 2008
(no scale)

08-08Z1 1301 Whitlock

Location and Current Zoning



July 3, 2008
(no scale)

08-08Z1 1301 Whitlock

Aerial

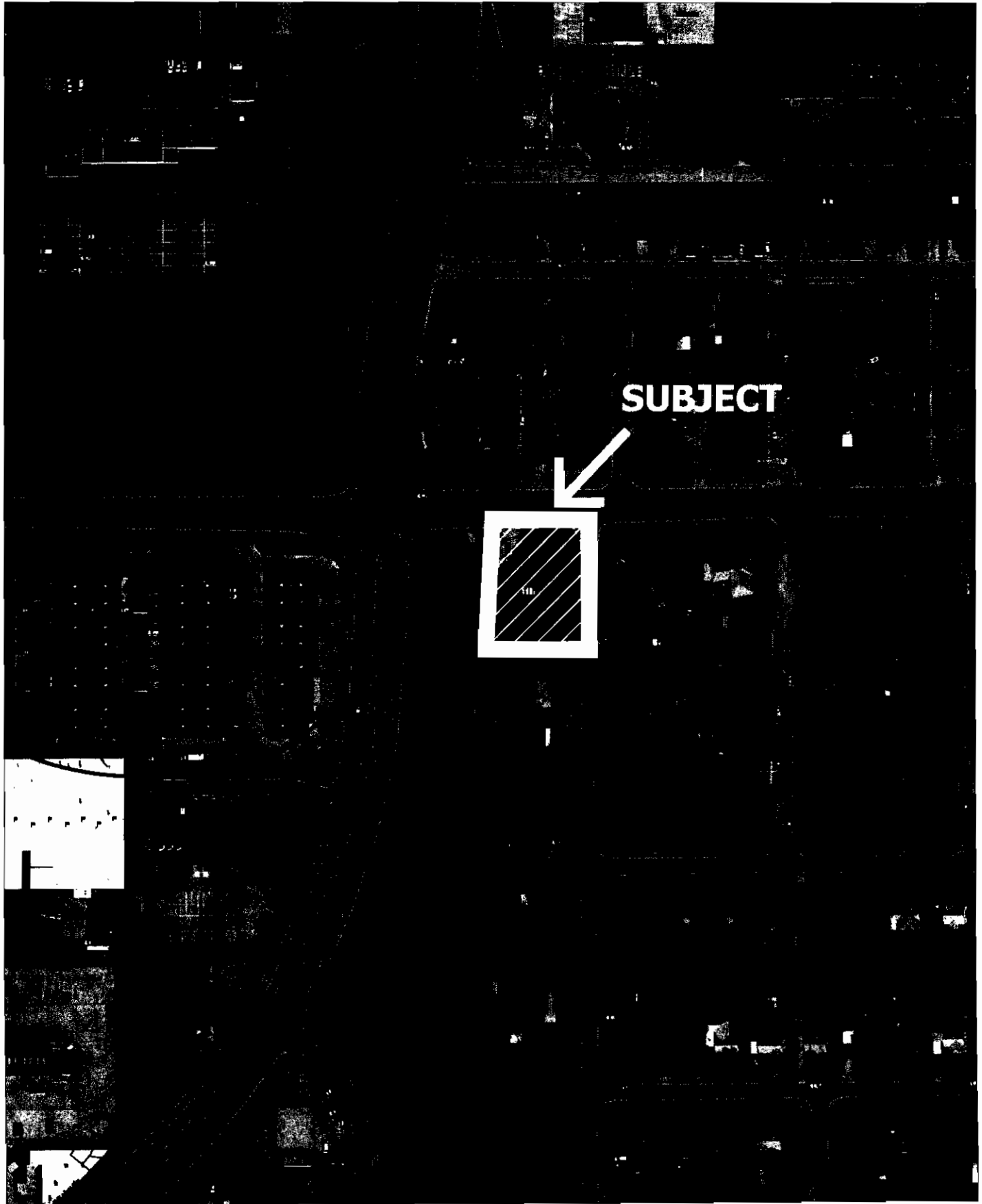




Photo
1301 Whitlock Lane Lane

Case No/Name: 08-0821 1301 Whitely Date: 7-30-08

Name: Ronald Petersen

Address: 2002 Cottonwood Rd

City, ST, ZIP: Carrollton, TX 75006

I hereby register my: Support Opposition
to the above referenced case.

Comments: _____

Signature: Ronald Petersen

Case No/Name: _____ Date: 7/28/2008

Name: LEIF BENSON

Address: 1911 ANN AVE

City, ST, ZIP: CARROLLTON TX 75006

I hereby register my: Support Opposition
to the above referenced case.

Comments: please see attached copy of my
response.

Signature: Leif E. Benson

Leif Benson
1911 Ann Ave
Carrollton, TX 75006

City Of Carrollton
Urban Development Department
PO Box 110535
Carrollton, TX 75011-0535

Case No. / Name 08-08Z1 1301 Whitlock

URBAN DEVELOPMENT

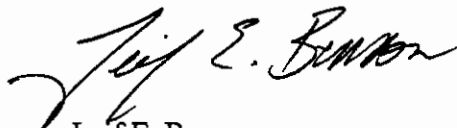
Date July 28th 2008

JUL 30 2008

To whom it concerns,

CITY OF CARROLLTON

I received this zoning notice in the mail and it does not specifically indicate what is being proposed. I get the impression the city is attempting road construction to the south side of Whitlock. I am totally against having the road widen. This will devalue my property and make my home more prone to property damage. It was not more than six months ago a car drove into the corner house of Cottonwood and Whitlock. I believe the lack of safe distance from the road, and the property were directly the fault of the city planners, and the driver of the vehicle. This is a residential neighborhood of which children play a lot in and around the busy street. I believe a more severe accident will happen soon if the city does not take notice of how fast cars drive on Whitlock. They are constantly going faster than 50 mph. There was another collision just last week in this proposed area. The problem is not the width of the road, it is speed.


Leif E. Benson