

Legislation Text

## File #: 2021-0456, Version: 2

Discuss and consider an application for a Landscape Architectural Waiver to reduce the minimum tree planting requirements for a multi-family development pursuant to Subchapter 11 Table 11.3 C, of the Unified Development Code for the 19365 Wilke Lane multi-family project. (ARB2104-01).

The subject property is located along the south side of Wilke Lane between the Highland Park North subdivision and SH 45. The adjacent property lines of the subject property include single family homes and a public storage facility use. The Applicant intends to develop the property into a 334-unit multifamily development within the 18.062 acres. The Applicant is requesting a waiver to the minimum planting requirement for a multifamily development within the Corridor Urban Center (CL5) zoning district. The minimum planting standards of the Unified Development Code requires 40% of the lot landscaped with 1 tree and 4 shrubs be planted per 300 square feet of the total landscape area. Assuming the applicable 1:300 ratio for landscape trees per code, the developer is required to plant a minimum of 2,816 caliper inches onsite, or a total of 939 three-inch caliper trees.

The Applicant is seeking a waiver to Section 11.3 of the Unified Development Code to increase the landscape tree ratio from 1 tree per 300 square feet (1:300) to 1 tree per 600 square feet (1:600) in order to reduce the total amount of trees required to be planted for the multifamily project. This reduction would be a 52% reduction request to the total amount of caliper inches required (1,354 inches versus 2,816 inches).

Per Subchapter 2 Section 2.2.4 G1 of the Unified Development Code (UDC), the Planning and Zoning Commission may consider proposed waivers greater than 20% from the minimum development standards and requirements within Subchapter 9, 10, 11 within all zoning districts. Consideration of waivers allow for deviations from the landscape requirements to achieve more flexibility of the site, while still adhering to the intent of landscaping requirements of the UDC.

At the May 3, 2021 Planning and Zoning Commission meeting, the Commission heard a request for a proposed landscape reduction for a future multi-family project. Through the discussion, the Commissioners moved to table consideration of the request until a future meeting for further discussion between the applicant and staff, and to allow an opportunity for missing Commissioner's to participate in the consideration. Following the meeting, the applicant met with staff and provided additional exhibits with supplemental information to further clarify their request.

The Corridor Level 5 (CL5) zoning district is intended to accommodate dense urban developments along the SH-45 and SH-130 corridors. While the proposed landscape design deviates from the minimum tree planting requirements of the Unified Development Code, the proposed waiver will still contribute a healthy number of trees planted throughout the site. The developer's intent is to provide a healthy, safe and attractive community while adhering to the general intent of the Unified Development Code. By allowing the waiver the intent of delivering a dense multi-family product along the SH-45 Corridor will be retained as the site will not be over-planted with required trees.

Additionally, the approval will increase the longevity of the overall health of all tree plantings without the possibility of the area being over-planted leading to tree diseases and decay.

Staff recommends adjusting the landscape tree ratio from 1:300sf to 1:600sf as provided in Scenario C and Exhibit D of the updated exhibits to ensure the health of the trees. The adjustment does not change the minimum number of shrub, street trees, bufferyard or detention pond plantings and will maintain the general intent of the Unified Development Code. If the Commission should choose an alternative, conditions may be imposed.

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