

Town of Little Elm

DECEMBER 5, 2023

TOWN COUNCIL

INTEGRITY | CUSTOMER SERVICE | EFFICIENCY | INNOVATION



LITTLE ELM

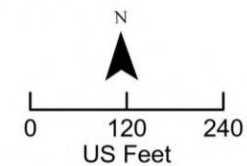
PUBLIC HEARING/ Lakeside Shops and Business Park Amendment (PD-23-04008)

Location



Lakeside Shops and Business Park (PD-23-04008)
Little Elm, TX 75068

Town of Little Elm
Denton County, Tx
Date: 10/9/2023



This product is to be used for graphical representation only. The accuracy is not to be taken/used as data produced for engineering purposes or by a Registered Professional Land Surveyor for the State of Texas. For this level of detail, supervision and certification of the produced data by a Registered Professional Land Surveyor for the State of Texas would have to be performed. Town of Little Elm and its members assume no responsibility for the accuracy of said data.

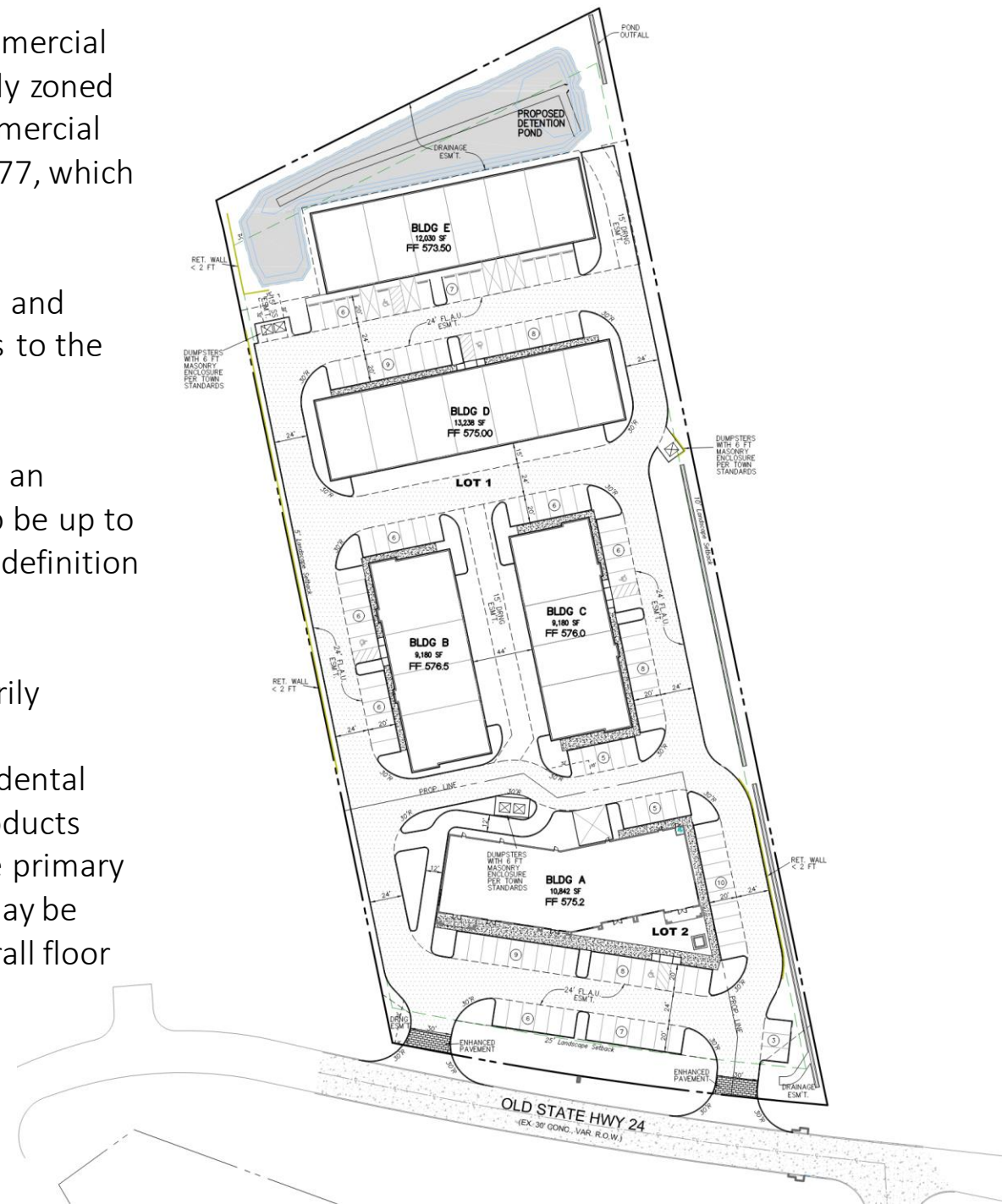
Background

Subject property consists of 1 commercial lot, approximately 5 acres, currently zoned Planned Development - Light Commercial (PD-LC) through Ordinance No. 1477, which was passed in 2018.

Surrounding properties to the east and north are zoned AG, the properties to the south and west are zoned LC.

The original PD was approved with an allowance for the back buildings to be up to 80% warehouse and established a definition for office/warehouse as:

An establishment that primarily consists of an office and/or commercial use, with an incidental need to store supplies or products that area associated with the primary use. Warehousing/storage may be utilized for up to 80% of overall floor area per tenant space.



Background

The PD also specifically lists the uses allowed by right, from the Light Commercial column of the use chart, which is atypical from recent PD ordinances.

- More recent PD ordinances state that the newly established PD is to follow the uses and standards of the Light Commercial District unless otherwise listed in the ordinance.

The site currently has 4 buildings under construction

- 1 retail building in the front of the property, and
- 3 office/warehouse buildings in the rear

As the property is finishing up construction, the property owner is searching for interested tenants to occupy the new buildings.

The most recent interested tenant is a dog daycare, with indoor boarding only, which is allowed by right within the LC district.

- However, because this PD does not list this use, the tenant would not be able to locate on this property.

The property owner/applicant is concerned that this will result in challenges for the development moving forward.

Proposal

The applicant is proposing to amend the existing PD to include all uses allowed under the Light Commercial District as well as capture the existing drive-thru as allowed.

The applicant is also requesting to include 4 additional uses, not currently allowed in the Light Commercial District, which would require an SUP approval to be able to locate on this property.

Proposed Use	Proposal	Town Code for LC	Town Code for LI
Heavy Machinery Showroom and Storage, Indoor Only*	SUP	NP	P
Auto, Boat, Sales/leasing and storage, new and used, Indoor Only*	SUP	NP	P
Manufacturing, Light Assembly	SUP	NP	C
Reprographic Shop*	SUP	NP	P

P: Permitted

C: Conditional Use Permit

SUP: Specific Use Permit

NP: Not Permitted

** This use is not verbatim in the Town's use chart. See use description below.*

Applicant worked in coordination with Staff to modify the definitions of the proposed 4 uses to ensure a better fit within the existing PD Ordinance.

Applicant is requesting to capture the “Restaurant Drive Thru,” currently under construction, as permitted by right as it was administratively approved through the Site Development Permit.

Restaurant Drive-Thru



At the time when the original PD was approved, drive-thru uses did not require an SUP in LC districts, but that has since changed.

Applicant wants to ensure this doesn't cause issues when a drive-thru tenant applies for a CO.

Auto, Boat, Sales/Leasing and Storage,

New or Used,

Indoor Only

The Town's Use Chart does not provide an "indoor only" distinction for auto and boat uses; these uses are broken up into 3 different categories.

"Auto, Boat Sales/leasing new, outdoor display", is allowed in the LC districts with a SUP and permitted by right in LI districts.

"Auto/Boat Sales, used, outdoor display" and *"Auto/boat/RV storage"* are prohibited in LC districts, but Permitted by right in LI Districts.

Applicant is proposing a combination of the above, with the specification for "indoor only."

"Auto, Boat, Sales/leasing and storage, new and used, Indoor Only"

Retail sales, rental, leasing, and/or showroom/storage of new or used operable automobiles, light load vehicles, or boats, without any outdoor storage or display.

If approved, this new use would become permitted through SUP only.

Manufacturing, Light Assembly

The Town's Use Chart states that this use is prohibited in LC districts, and requires a CUP in LI districts.



Currently, Section 106.01.14 defines “*Manufacturing or industrial uses, light*” as:

“A facility that involves assembly and fabrication activities and the use of machines, tools and labor to make items for use or sale.

- May also include warehousing, research and development, wholesaling operations with infrequent customer or client visits, and may include related office and shipping areas.
- Light industry is often assembly-based and is typically consumer-oriented (i.e., most light industrial products are sold to retail stores or end users rather than as intermediate parts for use by other industries).
- Light industry generally has less environmental impact than those associated with heavy industry.
- Light industry may employ lower skilled workers with only moderate training and often employ large numbers of people.
- Light industries require a relatively small amount of raw materials, area and power.
- Examples of light industry include, but are not limited to, plastic items, clothing, shoes, foods, beverages, personal care and home care products, cosmetics, drugs, furniture, consumer electronics, and home appliances.”

Manufacturing, Light Assembly

Proposed Modified Definition

Applicant is proposing “*Manufacturing, Light Assembly*” limited to light assembly, to ensure minimal nuisances emanating to the adjacent suites, buildings, or properties, with the following definition:

“A facility that involves light assembly, fabrication, and/or packaging of finished products or parts, predominately from previously prepared materials, and the use of small-scale machinery, tools and labor to make items for use or sale.

- May also include warehousing, research and development, wholesaling operations with infrequent customer or client visits, and may include related office and shipping areas.
- Light industry is often assembly-based and is typically consumer-oriented (i.e., most light industrial products are sold to retail stores or end users rather than as intermediate parts for use by other industries).
- Light industry generally has less environmental impact than those associated with heavy industry.
- Light industries require a relatively small amount of raw materials, area and power.
- Examples of light industry include, but are not limited to, plastic items, clothing, shoes, foods, beverages, personal care and home care products, cosmetics, drugs, furniture, consumer electronics, and home appliances.”

If approved, this use would become permitted through SUP only.

“Manufacturing or industrial uses, light”

“A facility that involves assembly and fabrication activities and the use of machines, tools and labor to make items for use or sale.

- May also include warehousing, research and development, wholesaling operations with infrequent customer or client visits, and may include related office and shipping areas.
- Light industry is often assembly-based and is typically consumer-oriented (i.e., most light industrial products are sold to retail stores or end users rather than as intermediate parts for use by other industries).
- Light industry generally has less environmental impact than those associated with heavy industry.
- Light industry may employ lower skilled workers with only moderate training and often employ large numbers of people.
- Light industries require a relatively small amount of raw materials, area and power.
- Examples of light industry include, but are not limited to, plastic items, clothing, shoes, foods, beverages, personal care and home care products, cosmetics, drugs, furniture, consumer electronics, and home appliances.”

“Manufacturing, Light Assembly”

“A facility that involves light assembly, fabrication, and/or packaging of finished products or parts, predominately from previously prepared materials, and the use of small-scale machinery, tools and labor to make items for use or sale.

- May also include warehousing, research and development, wholesaling operations with infrequent customer or client visits, and may include related office and shipping areas.
- Light industry is often assembly-based and is typically consumer-oriented (i.e., most light industrial products are sold to retail stores or end users rather than as intermediate parts for use by other industries).
- Light industry generally has less environmental impact than those associated with heavy industry.
- Light industries require a relatively small amount of raw materials, area and power.
- Examples of light industry include, but are not limited to, plastic items, clothing, shoes, foods, beverages, personal care and home care products, cosmetics, drugs, furniture, consumer electronics, and home appliances.”

Reprographic Shop



The Town's Use Chart does not currently provide this exact use.

Section 106.01.14 defines "*Printing plant, reprographic shop*", but does not identify where it is allowed:

"Facility for the reproduction of materials or drawings on a job order or bulk basis utilizing lithography, off-set printing, or other printing techniques."

Section 106.01.14 defines "*Print shop, major industrial plant*" and allows it by right only in the LI Districts:

"An establishment specializing in long-run printing operations including, but not limited to, book, magazine, and newspaper publishing using engraving, die cutting, lithography, and thermography processes."

Section 106.01.14 also defines "*Print shop, minor retail shop*" and allows it by right in the LC District:

"An establishment specializing in short-run operations to produce newsletters, flyers, resumes, maps, construction documents and plans, and similar materials using photocopying, duplicating, and blue printing processes. This definition shall include mailing and shipping services, but excludes the on-site storage of heavy load fleet vehicles, such as a Kinko's."

Reprographic Shop

What the applicant is proposing is more of a combination of the printing and reproduction aspect, but on a smaller scale, and includes a retail component.

Applicant is proposing “**Reprographic Shop**” with the following definition:

“A facility for the reproduction of materials or drawings on a job order basis utilizing lithography, off-set printing, digital printing, or other printing techniques, for purposed of custom design, promotional marketing, banners, brochures, posters, mounting, lamination, bindery, and graphic design. etc.”

Staff believes the proposed is a good middle ground between the 3 printing uses currently within the code.

If approved, this use would become permitted through SUP only.

Development Standards

Fire, Engineering, & Building Review

There are no new proposed development standards or site plan changes in this PD amendment proposal.

Comp Plan

Since the original PD's approval, the FLUP was amended to designate this and the surrounding properties as Neighborhood Retail/Commercial.

However, when the initial PD was approved the intent was to provide an opportunity for a blend of Light Commercial and Light Industrial uses in an office/warehouse environment.

At that time, the FLUP had the property designated as mixed use.

In combination with the Comp Plan's Growth and Employment Opportunity sections, the proposed mix of retail and office/warehouse uses was seen as aligning with the Town's vision by providing commercial growth, unique business opportunities, and creating diverse employment opportunities.

The proposed request, still adheres to these goals.

Consideration

Staff believes these amendments to the original PD continue to meet the intent of the original PD.

The safeguards put in place in this amendment both better define the uses allowed, expand the tenant base for potential users in need of “office/warehouse” type space, while requiring them to be reviewed on a case by case basis and obtain SUP to avoid potential nuisances.

These changes will also ensure the success of this development moving forward by providing a wider variety of suitable long term tenants. In exploring the surrounding areas, there is limited new development of this type of blended commercial/light industry product.

Recommendation

At their regular meeting on November 2, 2023, the Planning and Zoning Commission heard the request and discussed the intent behind limiting the previously allowed uses, how the existing drive-thru came about, and limiting the requested modified uses to the back buildings.

The Planning and Zoning Commission voted to unanimously (5-0) approve the request subject to the following condition:

- The proposed modified uses shall specifically apply to the back of the property, as described by the lot of designations on the current plat document.