

PLANNING & ZONING COMMISSION MEETING OF 11-10-15 AGENDA ITEM #15-284Z

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Matt Robinson, AICP, Planning Manager

**FROM:** Eleana Galicia, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” – Planned Development District to “C1” – Neighborhood Commercial District, Located at the Southwest Corner of Eldorado Parkway and Hudson Crossing

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the December 1, 2015 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed rezoning request.

**APPLICATION SUBMITTAL DATE:** October 12, 2015 (Original Application)  
October 27, 2015 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 1.33 acres of land from “PD” – Planned Development District generally for retail uses to “C1” – Neighborhood Commercial District generally for commercial uses. The applicant has submitted an associated Specific Use Permit (15-285SUP) for a car wash that is currently under review by Staff.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 2011-05-031 (Retail Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2003-02-015 (Single Family Residential Uses)	Live Oak Village Subdivision

South	“PD” – Planned Development District Ordinance No. 98-11-59 (Office Uses)	Hudson Crossing Office Condos
East	“PD” – Planned Development District Ordinance No. 2005-11-115 (Commercial Uses)	Sonic Drive-In Restaurant
West	“SUP” – Specific Use Permit Ordinance No. 211-05-031 (Commercial Uses), and “PD” – Planned Development District Ordinance No. 2011-05-031 (Retail Uses)	Undeveloped Land

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property, currently zoned “PD” – Planned Development District generally for retail uses to “C1” – Neighborhood Commercial generally for commercial uses. The governing zoning ordinance (“PD” – Planned Development District Ordinance No. 2011-05-031) allows the approval of a specific use permit for a car wash only in conjunction with a gas station at two corner sites at the intersection of Eldorado Parkway and Ridge Road. The applicant desires to construct a car wash, and has requested to rezone the subject property to “C1” – Neighborhood Commercial District to allow for a car wash on the subject property upon approval of a specific use permit. If the applicant’s rezoning request is approved, a Specific Use Permit for a Car Wash will be subject to review and approval by the Planning and Zoning Commission and City Council.

The proposed “C1” – Neighborhood Commercial District is designed to provide for low intensity commercial uses and is closely aligned with the uses permitted in the “BN” – Neighborhood Business zoning district that are specified within the existing “PD” – Planned Development District. A land use comparison chart has been attached to this rezoning request to show the differences of the permitted uses within both districts. Staff feels that the allowed uses within the proposed “C1” – Neighborhood Commercial District will remain compatible with the existing and future adjacent and surrounding land uses, and as such, recommends approval of the proposed rezoning request.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for office uses. The FLUP modules diagram designates the subject property as Suburban Mix within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a significantly developed area:

- **Comprehensive Plan Goals and Objectives:** The proposed rezoning request is generally in conformance with the goals and objectives of the Comprehensive Plan. In particular, the proposed zoning change would help the community attain the goal of “Land Use Compatibility and Mix” by creating “land use patterns that

complement one another” and “land use patterns that optimize and balance the tax base of the city.”

- Impact on Infrastructure: The proposed rezoning request should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area.
- Impact on Public Facilities/Services: The proposed rezoning request should have a minimal impact on public services, such as schools, fire and police, libraries, parks and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located east and west of the subject property are zoned for similar retail uses, and the property to the south is zoned for office uses. Staff feels that the proposed “C1” – Neighborhood Commercial District will remain compatible with the existing and future surrounding land uses.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the existing commercial zoning of the subject property.

The attached “Land Use and Tax Base Summary” shows that Module 42 is currently comprised of approximately 64.2% residential uses and 35.6% non-residential uses (including institutional uses). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 42 are comprised of approximately 86.6% from residential uses and 13.4% from non-residential uses (including institutional uses). Estimated tax revenues by type in Module 42 are comprised of approximately 93.7% ad valorem taxes and 6.3% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of commercial land uses in the area.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments or phone calls in support of or opposition to this request.

**ATTACHMENTS:**

- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Land Use Tax Base Summary Map
- Existing “PD” – Planned Development District Ordinance No. 2011-05-031
- Proposed Zoning Exhibit
- Land Use Comparison Chart
- PowerPoint Presentation