

PLANNING & ZONING COMMISSION MEETING OF 01-10-17 AGENDA ITEM #16-373Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, AICP, Planning Manager

FROM: Danielle Quintanilla, 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 on the Northeast Corner of Virginia Parkway and Carlisle Road

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the February 7, 2017 meeting.

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

APPLICATION SUBMITTAL DATE: December 12, 2016 (Original Application)
December 22, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 5.083 acres of land from “PD” – Planned Development District to “C1” – Neighborhood Commercial District, generally for commercial uses.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 1683 (Commercial Uses)	Undeveloped Land
North	“RD-30” – Duplex Residence District (Residential Uses)	Church of Christ
South	“PD” – Planned Development District Ordinance No. 2001-08-089 (Residential Uses), and “PD” – Planned Development District Ordinance No. 2005-05-050 (Office Uses)	Wesley United Methodist Church, Undeveloped Land

East	“RG-18” – General Residence District	Stonegate Apartments, Virginia Oaks Apartments
West	“SUP” – Specific Use Permit Ordinance No. 1994-05-14 (Commercial Uses) and “PD” – Planned Development District Ordinance No. 2001-03-035 (Residential Uses)	Our Savior Lutheran Church

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “PD” – Planned Development District to “C1” – Neighborhood Commercial District, generally for commercial uses. The governing zoning (“PD” – Planned Development District Ordinance No. 1683) requires that the site develop under the “C” – Planned Center District Regulations as outlined in the Zoning Ordinance No. 1270 as adopted on December 15, 1981. The current zoning primarily allows for retail uses with specifically excluded permissible uses and requires a specific use permit for clinic, doctor and dentist offices. A provision in the zoning ordinance requires that the subject property be developed as one site plan, in relation to the arrangement of the buildings. The applicant has indicated their intent to develop the subject property in a more neighborhood commercial manner, with single building structures that are not required to be in relation to one another. The applicant is requesting that the property develop according to the rules and regulations of the “C1” – Neighborhood Commercial District (Section 146-111), which in general allows less intense uses than those currently permitted in the existing “PD” – Planned Development District.

Currently, the Future Land Use Plan (FLUP) designates the subject property for Suburban Mix, which is comprised of residential and neighborhood office and retail facilities. The properties to the north and west of the subject property are currently being utilized for church facilities and the property to the east is being utilized for multiple family residential uses. There is an existing church to the southwest of the subject property and a little further to the east and west are small scale office and retail uses. In Staff’s professional opinion the rezoning request will remain compatible with the surrounding existing land uses and is appropriate for the proposed location, 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 residential and neighborhood office and retail 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 is being considered within an undeveloped 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 a “mix of land uses that provides for various lifestyle choices”.

- 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 adjacent to the subject property are zoned for residential uses and are currently being utilized as church facilities as well as multiple family residences. The proposed rezoning request will not alter the land use from what has been planned for the subject property. The subject property is already zoned for commercial uses, however the applicant has submitted a rezoning request to follow the development regulations for “C1” – Neighborhood Commercial District.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base commercial zoning of the subject property.

The attached “Land Use and Tax Base Summary” shows that Module 34 is currently comprised of approximately 49.6% residential uses, 50.4% non-residential uses (including institutional and agricultural uses). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 34 are comprised of approximately 83% from residential uses and 17% from non-residential uses. Estimated tax revenues by type in Module 34 are comprised of approximately 94.1% ad valorem taxes and 5.9% 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 and Tax Base Summary
- Existing “PD” – Planned Development District Ordinance No. 1683
- Land Use Comparison Table
- Proposed Zoning Exhibit
- PowerPoint Presentation