

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Samantha Pickett, Planner II

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” - Planned Development District and “CC” - Corridor Commercial Overlay District to “C3” – Regional Commercial District and “CC” - Corridor Commercial Overlay District, Located Approximately 450 Feet West of Hardin Boulevard and on the North Side of U.S. Highway 380 (University Drive)

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the April 7, 2015 meeting.

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

APPLICATION SUBMITTAL DATE: January 26, 2015 (Original Application)
February 18, 2015 (Revised Submittal)
February 24, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 2.01 acres of land currently zoned for neighborhood retail and office uses to “C3” – Regional Commercial District, generally for regional commercial uses. The applicant has indicated in the letter of intent that they intend to pursue a Specific Use Permit to allow an auto painting/body shop on the subject property if the requested zoning is approved.

On March 10, 2015, the Planning and Zoning Commission voted 7-0-0 to close the public hearing and table this item indefinitely due to public hearing notification signs not being posted on the subject property in the timeframe required by the Zoning Ordinance.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 1687 and “CC” – Corridor Commercial Overlay District (Office and Retail Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 1687 and “CC” – Corridor Commercial Overlay District (Office and Retail Uses)	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 1687 and “CC” – Corridor Commercial Overlay District (Office and Light Manufacturing Uses)	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 1687 and “CC” – Corridor Commercial Overlay District (Office and Retail Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 1687 and “CC” – Corridor Commercial Overlay District (Office and Retail Uses)	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone the subject property to “C3” – Regional Commercial District, generally for higher intensity commercial uses.

Currently, the Future Land Use Plan (FLUP) designates the property for commercial uses. While the adjacent and surrounding properties on north, south, east and west are undeveloped, they are all zoned for non-residential uses. Given these factors, Staff feels that the proposed rezoning request for regional commercial uses is appropriate along U.S. Highway 380 (University Drive) and will remain compatible with future adjacent and surrounding uses. As such, Staff recommends approval of the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for commercial 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 “Economic Development Vitality for a Sustainable and Affordable Community” through the stated objective of the Comprehensive Plan, a “balanced commercial development along major highway corridors”.

- 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 similar commercial uses, and as such should remain compatible with the surrounding properties.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base residential zoning of the subject property.

The attached “Land Use and Tax Base Summary” shows that Module 52 is currently comprised of approximately 11.7% residential uses, 48.2% non-residential uses (including agricultural uses), and 40.0% within the Extraterritorial Jurisdiction (ETJ). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 52 are comprised of approximately 92.1% from residential uses and 7.9% from non-residential uses (including commercial, mixed-use, institutional and agricultural uses). Estimated tax revenues by type in Module 52 are comprised of approximately 96% ad valorem taxes and 4% 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:

- PZ Minutes 03.10.15
- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Land Use and Tax Base Summary
- Existing “PD” – Planned Development District Ordinance No. 1687
- Proposed Zoning Exhibit – Boundary
- PowerPoint Presentation