

PLANNING & ZONING COMMISSION MEETING OF 07-26-16 AGENDA ITEM #16-194Z

AGENDA ITEM

TO: Planning and Zoning Commission

FROM: Brian Lockley, AICP, Planning Director

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “ML” – Light Manufacturing District to “LI” – Light Industrial District, Located approximately 170 Feet North of U.S. Highway 380 (University Drive) and on the East Side of Church Street

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the August 16, 2016 meeting.

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

APPLICATION SUBMITTAL DATE: June 13, 2016 (Original Application)
June 27, 2016 (Revised Submittal)
July 7, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 1.137 acres of land, from “ML” – Light Manufacturing District to “LI” – Light Industrial District, generally to allow for commercial and industrial uses.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“ML” – Light Manufacturing District	Collin County Mental Health Mental Retardation Center
North	“ML” – Light Manufacturing District	ACIS Properties LLC Mini Storage

South	“ML” – Light Manufacturing District	All Pro Auto and Tire
East	“ML” – Light Manufacturing District	Action Western Wear Wholesale Supply
West	“BG” – General Business District	Church’s Chicken

PROPOSED ZONING: The applicant is requesting to rezone 1.14 acre tract of land from “ML” – Light Manufacturing District to “LI” – Light Industrial District. The subject property is currently being used as a crisis evaluation center for Collin County Mental Health Mental Retardation (MHMR). The applicant is requesting the rezone the subject property to “LI” – Light Industrial District to allow for overnight stay of patients. Under the existing zoning (“ML” – Light Manufacturing) the clinical use is not permitted and is classified as a nonconforming use. Per the zoning regulations (Section 146-40) nonconforming uses can be repaired and maintained to preserve or extend their usability, however nonconforming uses cannot be increased in floor area or consist of additional nonconforming uses. It is the applicant’s intention to renovate the interior of building and expand the existing building to accommodate the overnight stay of patients.

The Future Land Use Plan (FLUP) designates the subject property for industrial uses. The properties to the north, east and south are zoned for similar industrial uses and the properties to the west are zoned for commercial uses. Staffs’ professional opinion is that the proposed rezoning request will remain compatible with surrounding the land uses, and will not have a detrimental impact on the development of the surrounding properties, 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 industrial uses. The FLUP modules diagram designates the subject property within the Industrial Module 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 development pattern”. Another goal of the Comprehensive Plan is accomplished through “Land Use Compatibility and Mix” through “retention and

expansion of existing businesses.” The rezoning request will allow for the continuation of an existing use and permit the additional service of overnight stay for patients, which will benefit the community.

- 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 north and east of the subject property consist of industrial uses, while properties located south and west are utilized for commercial uses. The proposed rezoning request will not negatively impact the surrounding land uses and will remain compatible with the surrounding land uses.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case as the rezoning request does not alter the industrial zoning of the subject property.

The attached “Land Use and Tax Base Summary” shows that Module 10 is currently comprised of approximately 7.9% residential uses and 83.6% 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 10 are comprised of approximately 17.4% from residential uses and 82% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 10 are comprised of approximately 49.8% ad valorem taxes and 50.2% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of industrial 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
- Proposed Zoning Exhibit
- PowerPoint Presentation