

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Eleana Galicia, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act a Request to Rezone the Subject Property from “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District to “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the Northwest Corner of Chief Spotted Tail Drive and Alma Road

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the July 21, 2015 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:

1. The use and development of Tract 1 (approximately 12.10 acres), as shown on the attached Boundary Exhibit, shall develop in accordance with the Single Family Detached, Standard Lot of the Neighborhood Zone as specified in the “REC” – Regional Employment Center Overlay District, and as amended, with the following exceptions:
  - a. There shall be no maximum lot width.
  - b. Single family detached residential dwelling units shall be constructed in accordance with the attached Single Family Architectural Standards.
2. The use and development of Tract 2 (approximately 3.20 acres), as shown on the attached Boundary Exhibit, shall develop in accordance with Section 146-112 (“C2” – Local Commercial District) of the Zoning Ordinance, and as amended.

**APPLICATION SUBMITTAL DATE:** March 30, 2015 (Original Application)  
May 28, 2015 (Revised Submittal)  
June 2, 2015 (Revised Submittal)  
June 17, 2015 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 15.30 acres of land generally to modify the development standards for commercial and single family detached residential uses. A portion of the property is currently designated for an independent living/assisted living uses, with the balance of land designated for commercial and residential uses.

The applicant has requested that a portion of the tract, Tract 1 (approximately 12.10 acres), develop in accordance with the Single Family Detached, Standard Lot regulations of the Neighborhood Zone, as specified in the “REC” – Regional Employment Center Overlay District, with modifications to the architectural standards and maximum lot width, which is discussed further below.

The applicant has requested the remainder of the tract along Stacy Road, Tract 2 (approximately 3.20 acres), develop in accordance with Section 146-112 (“C2” – Local Commercial District) of the Zoning Ordinance.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	“PD” – Planned Development District Ordinance No. 2001-02-017 (Single Family Residential and Commercial Uses), “PD” – Planned Development District Ordinance No. 2013-08-073 (Single Family Residential and Commercial Uses), and “REC” – Regional Employment Center Overlay District	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2001-02-017 (Single Family Residential and Commercial Uses), “SUP” – Specific Use Permit Ordinance No. 2015-06-055 (Fueling Station), and “REC” – Regional Employment Center Overlay District	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2001-02-017 (Single Family Residential), and “REC” – Regional Employment Overlay District	The Settlement at Craig Ranch Subdivision
East	“PD” – Planned Development District Ordinance No. 2014-07-048 (Residential and Civic Uses) and “REC” – Regional Employment Center Overlay District	Undeveloped Land

West	“PD” – Planned Development District Ordinance No. 2001-02-017 (Single Family Residential), and “REC” – Regional Employment Center Overlay District	The Settlement at Craig Ranch Subdivision
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**PROPOSED ZONING:** The applicant is requesting to modify the development standards for commercial and single family detached residential uses.

The applicant has requested the property be split into two tracts. Tract 1, as shown on the attached Boundary Exhibit, shall generally follow the area and bulk regulations for the Single Family Detached, Standard Lot of the REC Neighborhood Zone, with modifications to remove the maximum lot width (current lot width maximum is 70 feet) and provide single family architectural standards.

Tract 2, as shown on the attached Boundary Exhibit, is designated for commercial uses and will develop in accordance with Section 146-112 (“C2” – Local Commercial District) of the Zoning Ordinance.

Section 146-94 (“PD” – Planned Development District) of the Zoning Ordinance states that no proposed PD District may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. In effort to meet this requirement, the applicant has provided architectural standards for the single family residential portion of the tract. Staff feels that the PD requirement to ensure exceptional quality for the development has been satisfied with the proposed architectural standards.

Staff feels that the proposed rezoning request will remain compatible with the existing and future adjacent uses and, as such, recommends approval of the request.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for low density single family residential uses and commercial uses. The FLUP modules diagram designates the subject property as urban 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 development pattern”. Another goal of the Comprehensive Plan is accomplished through “Land Use Compatibility and Mix” by creating a “mix of land uses that complement one another”.

- 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 west and south of the subject property, closest to the residential portion of the tract, are zoned for similar single family residential uses. The properties located to the north and east; closest to the commercial portion of the tract are zoned for similar commercial uses. Staff feels the proposed rezoning request will remain compatible with the existing and future adjacent land uses.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the existing residential and commercial zoning of the subject property.

The attached “Land Use and Tax Base Summary” shows that Module 13 is currently comprised of approximately 49.7% residential uses and 50.2% non-residential uses (including mixed-use, 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 13 are comprised of approximately 76.9% from residential uses and 23.1% from non-residential uses (including mixed-use and agricultural uses). Estimated tax revenues by type in Module 13 are comprised of approximately 83.5% ad valorem taxes and 16.5% 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
- Fiscal Analysis
- Land Use and Tax Base Summary
- Existing “PD” – Planned Development District Ordinance No. 2001-02-017
- Existing “PD” – Planned Development District Ordinance No. 2013-08-073
- Proposed Zoning Exhibit – Boundary
- Proposed Zoning Exhibit – Metes and Bounds
- Proposed Zoning Exhibit – Single Family Residential Architectural Standards
- PowerPoint Presentation