

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Samantha Pickett, Planning Manager

**FROM:** Melissa Spriegel, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District to “C3” – Regional Commercial District and “CC” – Corridor Commercial Overlay District, Located on the Northeast Corner of Stacy Road and State Highway 121 (Sam Rayburn Tollway)

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

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

**APPLICATION SUBMITTAL DATE:** November 28, 2016 (Original Application)  
December 20, 2016 (Revised Submittal)  
December 27, 2016 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 26.28 acres of land from “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District to “C3” – Regional Commercial District and “CC” – Corridor Commercial Overlay District, generally for commercial uses.

On January 10, 2017, the Planning and Zoning Commission voted 7-0-0 to close the public hearing and table the item indefinitely per the applicant’s request. Staff has re-noticed this item accordingly.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
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Subject Property	“PD” – Planned Development District Ordinance No. 1726; “PD” – Planned Development District Ordinance No. 1728; “REC” – Regional Employment Center Overlay District; and “CC” – Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
North	“C2” – Local Commercial District; “PD” – Planned Development District Ordinance No. 2015-05-042; “REC” – Regional Employment Center Overlay District; and “CC” – Corridor Commercial Overlay District (Commercial and Residential Uses)	Undeveloped Land
South	City of Allen	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2005-10-099; “REC” – Regional Employment Center Overlay District; and “CC” – Corridor Commercial Overlay District (Mixed Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 1726; “PD” – Planned Development District Ordinance No. 2011-04-025; “REC” – Regional Employment Center Overlay District; and “CC” – Corridor Commercial Overlay District (Commercial Uses)	Traxxas

**PROPOSED ZONING:** The applicant is requesting to rezone approximately 26.28 acres of land from “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District to “C3” – Regional Commercial District and “CC” – Corridor Commercial Overlay District, generally for commercial uses.

Two different zoning districts are currently present on the subject property, “PD” – Planned Development District Ordinance No. 1726 and “PD” – Planned Development District Ordinance No. 1728. The applicant is requesting to rezone to provide a uniform zoning district and standards on the subject property. The governing zonings primarily allow for commercial and industrial uses. The applicant would like to maintain the commercial uses; however, provide uniform standards across the property.

Currently, the Future Land Use Plan (FLUP) designates the property for commercial uses. The property located west of the subject property is currently being utilized for industrial

uses, while the properties located to the north, south and east are currently undeveloped. In Staff's opinion the rezoning request will remain compatible with adjacent commercial 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 Tollway Commercial 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 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 similar commercial uses. The proposed rezoning request will not alter the land use from what has been planned for the subject property.
- **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 12 is currently comprised of approximately 16% residential uses and 84% 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 12 are comprised of approximately 21.4% from residential uses and 78.6% from non-residential uses (including mixed-use and agricultural uses). Estimated tax revenues by type in Module 12 are comprised of approximately 61.2% ad valorem taxes and 38.8% 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
- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Land Use and Tax Base Summary
- Land Use Comparison Table
- Existing “PD” – Planned Development District Ordinance No. 1726
- Existing “PD” – Planned Development District Ordinance No. 1728
- Proposed Zoning Exhibit
- PowerPoint Presentation