

PLANNING & ZONING COMMISSION MEETING OF 02-09-16 AGENDA ITEM #16-004Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, AICP, Planning Manager

FROM: Eleana Galicia, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" – Regional Employment Center Overlay District to "C1" – Neighborhood Commercial District, Located on the Northwest Corner of Lake Forest Drive and Collin McKinney Parkway

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the March 1, 2016 meeting.

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

APPLICATION SUBMITTAL DATE: January 11, 2016 (Original Application)
January 20, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately .82 acres of land from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay 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. 2002-05-038 (Mixed Use and Commercial Uses), and "REC" – Regional Employment Center Overlay District	Undeveloped Land

North	“PD” – Planned Development District Ordinance No. 2002-05-038 (Single Family Residential Uses), and “REC” – Regional Employment Center Overlay District	Village Park Subdivision
South	“PD” – Planned Development District Ordinance No. 2006-02-010 (Mixed Use and Commercial Uses), “PD” – Planned Development District Ordinance No. 2007-12-133 (Retail Uses), and “REC” – Regional Employment Center Overlay District	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2000-09-066 (Commercial Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2002-05-038 (Single Family Residential Uses) and “REC” – Regional Employment Center Overlay District	Village Park Subdivision

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “PD” – Planned Development District, and “REC” – Regional Employment Center Overlay District to “C1” – Neighborhood Commercial District generally for commercial uses. More specifically, the applicant is requesting that the property develop according to the rules and regulations of “C1” – Neighborhood Commercial District (Section 146-111) of the zoning ordinance.

Currently, the Future Land Use Plan (FLUP) designates the subject property for Neighborhood Business commercial uses. The properties located north and west are currently being utilized for single family residential uses and the undeveloped properties located east and south have been designated for commercial uses. It is Staff’s professional opinion that 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.

The current zoning on the subject property requires that the site develop under the “Commercial and Mixed Use Building” Regulations within the Collin-McKinney Parkway Corridor Zone of the Regional Employment Center Overlay District. The applicant intends to develop the site in a more suburban manner, which is limited by the current building setbacks of the Collin McKinney Parkway Zone of the REC. The applicant has indicated to Staff that he intends to develop the site with a building for retail and medical office uses, however no plans have been submitted to the city for review and approval.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for Neighborhood Business 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 “land use patterns that address appropriate transition and mix of uses”.
- 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 west of the subject property are being used for single family residential uses and the undeveloped properties located east and south have been designated for similar commercial uses. 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 commercial zoning of the subject property.

The attached “Land Use and Tax Base Summary” shows that Module 13 is currently comprised of approximately 61% residential uses and 38.8% 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 80.1% from residential uses and 19.9% from non-residential uses. Estimated tax revenues by type in Module 13 are comprised of approximately 86.9% ad valorem taxes and 13.1% 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. 2002-05-038
- Metes and Bounds Exhibit
- Zoning Comparison Chart
- PowerPoint Presentation