

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 “CC” – Corridor Commercial Overlay District to “C2” – Local Commercial District and “CC” – Corridor Commercial Overlay District, Located on the Southwest Corner of U.S Highway 380 (University Drive) and Hardin Boulevard

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the December 6, 2016 meeting.

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

APPLICATION SUBMITTAL DATE: June 27, 2016 (Original Application)
July 11, 2016 (Revised Submittal)
October 4, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 27.79 acres of land from “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to “C2” – Local Commercial District and “CC” – Corridor Commercial Overlay District. The applicant has indicated to staff the desire to develop the subject property with retail uses; however, no development applications have been formally submitted for review.

On October 25, 2016, the Planning and Zoning Commission voted 7-0-0 to continue the public hearing and to table the item to the November 8, 2016 Planning and Zoning Commission Meeting per the applicant’s request.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
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Subject Property	“PD” – Planned Development District Ordinance No. 1883 (Office and Light Industrial Uses), and “CC” – Corridor Commercial Overlay District	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 1687 (Office and Retail Uses), “C3” – Regional Commercial District (Commercial Uses), and “CC” – Corridor Commercial Overlay District	Undeveloped Land and O’Reilly Auto Parts Store
South	“PD” – Planned Development District Ordinance No. 1883 (Office and Light Industrial Uses), and “CC” – Corridor Commercial Overlay District	Cockrill Middle School
East	“PD” – Planned Development District Ordinance No. 1883 (Office and Light Industrial Uses), and “CC” – Corridor Commercial Overlay District	Undeveloped Land
West	“BG” – General Business (Retail Uses), “AG” – Agricultural District (Agricultural Uses), “PD” – Planned Development District Ordinance No. 2014-12-095 (Single Family Residential Uses), and “CC” – Commercial Corridor Overlay District	Undeveloped Land, Single Family Residences, and Future Hardin Village Subdivision

PROPOSED ZONING: The applicant is requesting to rezone approximately 27.79 acres of land from “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to “C2” – Local Commercial District and “CC” – Corridor Commercial Overlay District. Currently, the subject property is zoned “PD” – Planned Development District with a base zoning of “ML”- Light Manufacturing District and “O” – Office District, and the applicant is requesting to rezone the subject property to “C2” – Local Commercial District to allow for retail uses. The properties located north are predominantly undeveloped, but zoned for office and retail uses, while the properties to the east and south are zoned for office and manufacturing uses. The properties located to the west are zoned for a combination of uses, including commercial, agricultural and residential uses. Due to the subject property’s adjacency to a major regional highway (U.S. Highway 380), the proposed zoning would help enhance this area as a prime commercial corridor, while also providing an appropriate transition from existing residential uses located west of the subject property to regional commercial uses along University Drive. Given these factors, Staff’s professional opinion is that the proposed rezoning request (“C2” – Local Commercial District) would remain compatible with adjacent and future surrounding land 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 office 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 and sewer, however it will have an impact on the 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 to the subject property are zoned for similar non-residential uses, while the properties to the west are zoned for a combination of uses, including non-residential uses along U.S. Highway 380. The proposed rezoning request would complement the properties located on the northwest corner and northeast corner of U.S. Highway 380 and Hardin Boulevard that are undeveloped, but zoned for similar land uses.
- Fiscal Analysis: Staff did perform a fiscal analysis for this case because the rezoning request does alter the commercial zoning on the subject property from office and light manufacturing uses to retail uses. The fiscal analysis shows a positive cost benefit of \$482,484 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 16 is currently comprised of approximately 14.7% residential uses and 85.3% 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 16 are comprised of approximately 13.5% from residential uses and 86.5% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 16 are comprised of approximately 74.8% ad valorem taxes and 25.2% 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:

- Draft PZ Minutes 10.25.16
- 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. 1883
- Proposed Zoning Exhibit
- PowerPoint Presentation