

PLANNING & ZONING COMMISSION MEETING OF 02-14-17 AGENDA ITEM #17-008Z

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Samantha Pickett, Planning Manager

**FROM:** Danielle Quintanilla, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” – Planned Development District to “SO” – Suburban Office District, Located at 1720 West Virginia Street

**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.

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

**APPLICATION SUBMITTAL DATE:** January 17, 2017 (Original Application)  
January 25, 2017 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 0.416 acres of land from “PD” – Planned Development District to “SO” – Suburban Office District, generally for office uses.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 2007-06-061 (Office Uses)	Single Family Dwelling
North	“RS-120” – Single Family Residence District (Single Family Residential Uses)	Finch West Subdivision

South	“PD” – Planned Development District Ordinance No. 2007-06-061 (Commercial Uses)	Newberry Vision Center
East	“RS-84” – Single Family Residential District (Single Family Residential Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2007-06-061 (Office Uses)	Geller & Cohen Orthodontics and Progressive Health Family Medicine

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from “PD” – Planned Development District to “SO” – Suburban Office District, generally for office uses. The governing zoning (“PD” – Planned Development District Ordinance No. 2007-06-061) generally allows for office uses under the “O-1” – Neighborhood Office District, in addition to special provisions outlined within the PD including maximum gross floor area, proposed parking locations and architectural standards. The applicant has indicated their intent to develop the subject property for office uses and the rezoning request will provide the ability to maximize the building area and utilize the existing 5,000 square foot pad currently available, while respecting surrounding properties. The applicant is requesting that the property develop according to the rules and regulations of the “SO” – Suburban Office District (Section 146-109), which in general allows the same uses than those currently permitted in the existing “PD” – Planned Development District, with some additional uses allowed via specific use permit.

Currently, the Future Land Use Plan (FLUP) designates the subject property for residential and commercial uses. The properties to the west and south of the subject property are currently being utilized as office complexes, while the property to the north is a single family subdivision. Additionally, the property to the east is zoned for residential uses, but is currently undeveloped. In Staff’s professional opinion, 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.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for residential and commercial uses. The FLUP modules diagram designates the subject property as Town Center 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 office and residential uses and are currently being utilized for offices and single family residential dwellings. 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 office uses, however the applicant has submitted a rezoning request to follow the development regulations for “SO” – Suburban Office District.
- 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 55 is currently comprised of approximately 51.8% residential uses and 48.2% 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 55 are comprised of approximately 47.5% from residential uses and 52.5% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 55 are comprised of approximately 62.2% ad valorem taxes and 37.8% 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:**

- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Land Use and Tax Base Summary
- Existing “PD” – Planned Development District Ordinance No. 2007-06-061
- Zoning Comparison Chart
- Proposed Zoning Exhibit
- PowerPoint Presentation

