

PLANNING & ZONING COMMISSION MEETING OF 01-12-16 AGENDA ITEM #15-343Z

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Matt Robinson, AICP, Planning Manager

**FROM:** Aaron Bloxham, 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 Northeast 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 January 19, 2016 meeting.

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

**APPLICATION SUBMITTAL DATE:** December 14, 2015 (Original Application)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 37.81 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, generally for commercial uses.

**ZONING:**

| <b>Location</b>  | <b>Zoning District (Permitted Land Uses)</b>   | <b>Existing Land Use</b> |
|------------------|--|--------------------------|
| Subject Property | “PD” – Planned Development District Ordinance No. 2006-11-131 and “CC” – Commercial Corridor Overlay District (Residential Uses) | Undeveloped Land         |

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| North | “PD” – Planned Development District Ordinance No. 1687 and “CC” – Commercial Corridor Overlay District (Residential Uses)  | President's Point I Subdivision                 |
| South | “PD” – Planned Development District Ordinance No. 1883, “PD” – Planned Development District Ordinance No. 1281, and “CC” – Commercial Corridor Overlay District (Office and Industrial Uses)                           | Raytheon and Undeveloped Land                   |
| East  | “PD” – Planned Development District Ordinance No. 2013-08-078, “PD” – Planned Development District Ordinance No. 2012-10-054, “PD” – Planned Development District Ordinance No. 1719 (Commercial and Residential Uses) | Skyline Village Apartments and Undeveloped Land |
| West  | “PD” – Planned Development District Ordinance No. 1687 and “CC” – Commercial Corridor Overlay District (Commercial Uses)   | Undeveloped Land                                |

**PROPOSED ZONING:** The applicant is requesting to rezone approximately 37.81 acres generally for commercial uses.

Currently, the property is zoned for multi-family residential uses and the Future Land Use Map (FLUP) designates the property for commercial uses and the location of retail and office developments should occur at the intersection of major arterials. The proposed rezone should help achieve the goals and objectives of the comprehensive plan by creating an “Economic Development Vitality for a Sustainable and Affordable Community” and “Land Use Compatibility and Mix”. Additionally, the proposed rezone should have a lesser impact on infrastructure and public facilities as compared to the currently allowed multi-family uses; will be compatible with the adjacent land uses; and be fiscally beneficial to the City. Given these factors, Staff feels that the proposed rezoning request for commercial uses will be compatible with existing and future adjacent and surrounding uses, and 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 Suburban Mix within a significantly developed area and specifies that retail and office development should be located at the intersections of major arterials. 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” and “balanced commercial development along major highway corridors”. Another goal of the Comprehensive Plan is accomplished through “Land Use Compatibility and Mix” by creating a “mix of land use patterns that optimize and balance the tax base of the city” and “land use patterns that address appropriate transition and mix of uses”.
- Impact on Infrastructure: The proposed rezoning request should have a lesser impact and demand on the existing and planned water and sewer in the area; and it may 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 adjacent to the subject property are zoned for similar commercial and residential uses. The proposed rezoning request will not alter the land use from what has been planned for the subject property.
- Fiscal Analysis: The fiscal analysis shows a positive cost benefit of \$1,471,509 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 32 is currently comprised of approximately 59% residential uses and 41% non-residential uses (including institutional and agricultural uses). The proposed rezoning request may have impact on the anticipated land uses in this module. Estimated tax revenues in Module 32 are comprised of approximately 95% from residential uses and 5% from non-residential uses (including institutional and agricultural uses). Estimated tax revenues by type in Module 32 are comprised of approximately 97% ad valorem taxes and 3% 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. 2006-11-131
- Existing “PD” – Planned Development District Ordinance No. 1687
- Proposed Zoning Exhibit
- PowerPoint Presentation