

PLANNING & ZONING COMMISSION MEETING OF 12-13-16 AGENDA ITEM #16-329Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, AICP, 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 and “REC” – Regional Employment Center Overlay District to “C1” – Neighborhood Commercial District, Located on the Northeast Corner of Collin McKinney Parkway and Westport Drive

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the January 3, 2016 meeting.

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

APPLICATION SUBMITTAL DATE: November 7, 2016 (Original Application)
November 28, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 1.5 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 and “REC” – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2002-05-038 and “REC” – Regional Employment Center Overlay District (Residential Uses)	Single Family Residential - Village Park

South	“PD” – Planned Development District Ordinance No. 2007-12-133 and “REC” – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2002-05-038 and “REC” – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2002-05-038 and “REC” – Regional Employment Center Overlay District (Residential Uses)	Single Family Residential - Village Park

PROPOSED ZONING: The applicant is requesting to rezone the subject property to “C1” – Neighborhood Commercial district, generally for low intensity commercial uses. The governing zoning (“PD” – Planned Development District Ordinance No. 2002-05-038 and “REC” – Regional Employment Center Overlay District) primarily allows for retail uses developed in an urban form, with a greater rear yard setback to allow for parking in the rear and for the building to front the street. The applicant has indicated the potential for the property to develop for commercial uses; however, would like to develop in a suburban form with parking in the front and the building set back from the street.

Currently, the Future Land Use Plan (FLUP) designates the property for residential uses. The properties located north and west of the subject property are currently being utilized for single family residential uses, while the properties located to the south and east are currently undeveloped. Additionally, a similar rezoning request to go to “C1” – Neighborhood Commercial was approved earlier this year at the corner of Lake Forest Drive and Collin McKinney Parkway. In Staff’s opinion the rezoning request will remain compatible with adjacent residential uses and will complement planned retail 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 residential 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 “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 and residential 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 13 is currently comprised of approximately 61% residential uses and 39% 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 (including mixed-use, institutional and agricultural 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
- Proposed Zoning Exhibit
- PowerPoint Presentation