PLANNING & ZONING COMMISSION MEETING OF 01-24-17 AGENDA ITEM #14-297Z3

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, AICP, 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 "AG" – Agricultural District, "PD" – Planned Development District, and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial District, "SO" – Suburban Office District and "CC" – Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 (University Drive)

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the February 7, 2017 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed rezoning request with the following ordinance provision:

1. The subject property shall develop in accordance with the rules and regulations of Section 146-112 ("C2" – Local Commercial District), Section 146-109 ("SO" – Suburban Office District) and Section 146-101 ("CC" – Corridor Commercial Overlay District) of the Zoning Ordinance.

APPLICATION SUBMITTAL DATE: October 27, 2014 (Original Application)
November 20, 2014 (Revised Submittal)
December 14, 2016 (Revised Submittal)
January 11, 2017 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 4.00 acres of land from "AG" – Agricultural District, "PD" – Planned Development District, and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial District, "SO" – Suburban Office District and "CC" – Corridor Commercial Overlay District, generally for commercial uses.

On December 9, 2014, the Planning and Zoning Commission voted 7-0-0 to close the public hearing and table the rezoning request indefinitely per the applicant's request.

On January 10, 2017, the Planning and Zoning Commission voted 7-0-0 to close the public hearing and table the item to the January 24, 2017 Planning and Zoning Commission meeting due to a noticing error. Staff has re-noticed this item accordingly.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"AG" – Agricultural District (Agricultural Uses), "PD" – Planned Development District Ordinance No. 1998-11-63 (Office Uses), and "CC" – Corridor Commercial Overlay District	Single Family Residence and Cornerstone Offices
North	"PD" – Planned Development District Ordinance No. 2012-08-037 and "CC" – Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
South	"AG" – Agricultural District and "CC" – Corridor Commercial Overlay District (Agricultural Uses)	Meadow Ranch Subdivision
East	"PD" – Planned Development District Ordinance No. 1992-02-01 and "CC" – Corridor Commercial Overlay District (Light Manufacturing Uses)	Undeveloped Land
West	"PD" – Planned Development District Ordinance No. 2002-05-050 and "CC" – Corridor Commercial Overlay District (Commercial Uses)	380 West Animal Hospital

PROPOSED ZONING: The applicant is requesting to rezone approximately 4.00 acres of land from "AG" – Agricultural District, "PD" – Planned Development District, and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial District, "SO" – Suburban Office District and "CC" – Corridor Commercial Overlay District, generally for commercial uses. The governing zoning on the northern tract of the subject property ("PD" – Planned Development District Ordinance No. 1998-11-63) primarily allows for offices uses and the governing zoning on the southern tract of the subject property ("AG" – Agricultural District) primarily allows for agricultural uses.

There are existing offices on the northern tract of the subject property and there is an existing single family residence on the southern tract of the subject property. The subject property is adjacent to single family residences to the south and the 380 West Animal Hospital to the west. While the properties located to the north and east are currently

undeveloped, the property to the north is zoned for commercial uses and the property to the east is zoned for light manufacturing uses.

The applicant is requesting to rezone the northern tract of the subject property to "C2" – Local Commercial District and "CC" – Corridor Commercial Overlay District and the southern tract of the subject property to "SO" – Suburban Office District and "CC" – Corridor Commercial Overlay District. Due to the subject property's adjacency to a major regional highway (U.S. Highway 380), the proposed zoning districts would help enhance this area as a prime commercial corridor, while also providing a transition to the existing residential uses located to the south. The Suburban Office District would help provide this transition as it is designed to allow for low intensity office uses.

Though the Future Land Use Plan designates the property for low density residential uses, given that three of the four surrounding properties are zoned for non-residential uses, it is Staff's professional opinion that the proposed rezoning request 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 low density residential 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 development pattern".

- Impact on Infrastructure: The proposed rezoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area since the southern tract of the subject property will change from residential to office uses.

- 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 to the east, west, and north of the subject property are zoned for similar non-residential uses. The proposed rezoning request should remain compatible with the surrounding and adjacent land uses.

- Fiscal Analysis: Staff performed a fiscal analysis for this case because the rezoning request does alter the residential zoning on the subject property from

residential and office uses to commercial and office uses. The fiscal analysis shows a positive cost benefit of $44,153 using the full cost method.

The attached "Land Use and Tax Base Summary" shows that Module 34 is currently comprised of approximately 49.6% residential uses and 50.4% non-residential uses (including institutional and agricultural uses). The proposed rezoning request will have an impact on the anticipated land uses in this module. Estimated tax revenues in Module 34 are comprised of approximately 83.0% from residential uses and 17% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 34 are comprised of approximately 94.1% ad valorem taxes and 5.9% 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 four comments in opposition to this request, as well as a signed petition. The petition has been signed by at least 20 percent of the property owners within 200 feet of the subject property, and as such meets the requirements of a formal petition and will require a favorable vote by a supermajority (6 of 7) of the City Council to be approved.

ATTACHMENTS:

- PZ Minutes 1.10.17
- PZ Minutes 12.9.14
- Location Map and Aerial Exhibit
- Letter of Intent
- Letters of Opposition
- Petition
- Comprehensive Plan Maps
- Fiscal Analysis
- Land Use and Tax Base Summary Map
- Land Use Comparison Table
- Existing "PD" – Planned Development District Ordinance No. 1998-11-63
- Proposed Zoning Exhibit
- PowerPoint Presentation