

PLANNING & ZONING COMMISSION MEETING OF 05-26-15 AGENDA ITEM #15-111Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, 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 “BN” – Neighborhood Business District to “C2” – Local Commercial District, Located on the Southeast Corner of Custer Road and Eldorado Parkway

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the June 16, 2015 meeting.

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

APPLICATION SUBMITTAL DATE: April 27, 2015 (Original Application)
May 11, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 7.03 acres of land, located generally on the southeast corner of Custer Road and Eldorado Parkway from “PD” – Planned Development District (generally for retail uses) and “BN” – Neighborhood Business District to “C2” – Local Commercial District. The applicant has indicated that it is their intent to construct a retail center with retail anchor and restaurant space.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 2003-02-015, “PD” – Planned Development District Ordinance No. 2003-11-103, “PD” – Planned Development District Ordinance No. 2003-11-104 and “BN” – Neighborhood	Undeveloped Land

	Business District (Commercial and Office Uses)	
North	“PD” – Planned Development District Ordinance No. 2014-03-017 (Retail Uses)	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2003-02-015 (Office Uses)	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2003-02-015 (Office Uses)	Torchmark Corporation, Medical Offices and Undeveloped Land
West	City of Frisco	Commercial and Residential Uses

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “PD” – Planned Development District and “BN” – Neighborhood Business generally for commercial and office uses to “C2” – Local Commercial District generally for commercial uses.

Currently, the properties are currently zoned for commercial and retail uses. Staff feels that the proposed rezoning request for commercial uses will be compatible with the existing and future adjacent and surrounding uses and will provide for a more consistent zoning designation across multiple properties. 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 and floodplain 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”. Another goal of the Comprehensive Plan is accomplished through “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 uses and should remain compatible with the existing and future adjacent land uses.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base commercial zoning designation on the subject property.

The attached "Land Use and Tax Base Summary" shows that Module 36 is currently comprised of approximately 50.6% residential uses and 49.2% non-residential uses (including institutional uses). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 36 are comprised of approximately 69.5% from residential uses and 30.4% from non-residential uses. Estimated tax revenues by type in Module 36 are comprised of approximately 80.1% ad valorem taxes and 19.9% 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 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 for Module 36
- Existing "PD" – Planned Development District Ordinance No. 2003-02-015
- Existing "PD" – Planned Development District Ordinance No. 2003-11-103
- Existing "PD" – Planned Development District Ordinance No. 2003-11-104
- Proposed Zoning Exhibit – Metes and Bounds
- PowerPoint Presentation