

PLANNING & ZONING COMMISSION MEETING OF 01-10-17 AGENDA ITEM #16-349Z

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 “RS 60” – Single Family Residence District to “SO” – Suburban Office District, Located at 1202 West 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.

APPLICATION SUBMITTAL DATE: November 28, 2016 (Original Application)
December 22, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 0.26 acres of land from “RS-60” – Single Family Residential to “SO” – Suburban Office, generally for office uses.

ZONING:

| Location | Zoning District (Permitted Land Uses) | Existing Land Use |
|------------------|---|--|
| Subject Property | “RS-60” – Single Family Residential District (Single-family Residential Uses) | Black and Smith Subdivision |
| North | “RS-60” – Single Family Residential District (Single-family Residential Uses) | Black and Smith Subdivision |
| South | “C” – Planned Center District and “BN” – Neighborhood Business District (Commercial Uses) | Landers Law Firm and Brantley Chiropractic |

| | | |
|------|---|---------------------------------|
| East | “PD” – Planned Development District Ordinance No. 1998-11-61 (Office Uses) | Servando J McHazlett Law Office |
| West | “RS-60” – Single Family Residential District (Single-family Residential Uses) | Black and Smith Subdivision |

PROPOSED ZONING: The applicant is requesting to rezone approximately 0.26 acres of land from “RS-60” – Single Family Residential to “SO” – Suburban Office, generally for office uses. The governing zoning (“RS-60” – Single Family Residence District) primarily allows for residential uses, with no office uses permitted. The applicant has indicated the potential for the existing house on the property to be converted for office uses given the existing frontage on U.S Highway 380 (University Drive) and adjacency to similar office and commercial uses.

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 being utilized for office and commercial uses. In Staff’s opinion the rezoning request will remain compatible with adjacent residential, office, and commercial 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 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 similar commercial and

residential uses. The proposed rezoning request will alter the land use from what has been planned for the subject property.

- Fiscal Analysis: Staff performed a fiscal analysis for this case because the rezoning request alters the base residential zoning of the subject property. The attached fiscal analysis shows a positive cost benefit of \$1,241 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 55 is currently comprised of approximately 52% residential uses and 48% 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 55 are comprised of approximately 44.7% from residential uses and 55.3% from non-residential uses (including mixed-use, institutional and agricultural uses). Estimated tax revenues by type in Module 55 are comprised of approximately 59.4% ad valorem taxes and 40.6% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of commercial/office 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 Impact Analysis
- Land Use and Tax Base Summary
- Land Use Comparison Table
- Proposed Zoning Exhibit
- PowerPoint Presentation