

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, Planning Manager

FROM: Eleana Galicia, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” – Planned Development District to “C1” – Neighborhood Commercial District, Located Approximately 365 Feet North of Virginia Parkway and on the West Side of Ridge Road

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the July 19, 2016 meeting.

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

APPLICATION SUBMITTAL DATE: April 25, 2016 (Original Application)
May 6, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 3.01 acres of land from “PD” – Planned Development District generally allowing office uses (with limited retail use) to “C1” – Neighborhood Commercial District, generally to allow for retail, restaurant, and office uses.

The applicant has submitted an associated site plan (16-158SP) and preliminary-final replat (16-159PF), which are under review by Staff. The site plan cannot be approved until the rezoning request is approved for the subject property.

On May 24, 2016, the Planning and Zoning Commission voted 7-0-0 to continue the public hearing and table the item to the June 14, 2016 Planning and Zoning Commission meeting due to zoning signs not posted on the subject property within the required timeframe.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 2000-11-092 (Office Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2007-05-053 (Single Family Residential Uses), and “PD” – Planned Development District Ordinance No. 2000-11-092 (Open Space)	Saddlehorn Creek Subdivision and Stonebridge Common Area
South	“PD” – Planned Development District Ordinance No. 2000-11-092 (Office Uses)	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2000-11-092 (Single Family Residential Uses)	Stonebridge Estates Subdivision
West	“PD” – Planned Development District Ordinance No. 2007-05-053 (Office Uses), and “PD” – Planned Development District Ordinance No. 2000-11-092 (Open Space)	The Jacob Group and Stonebridge Common Area

PROPOSED ZONING: The applicant is requesting to rezone approximately 3.01 acres of land from “PD” – Planned Development District generally allowing office uses (with limited retail use) to “C1” – Neighborhood Commercial District, generally to allow for retail, restaurant, and office uses.

The applicant has indicated to Staff that they are intending to develop the subject property with a combination of retail, office, and restaurant uses. An associated site plan (16-158SP) is under review by Staff, and cannot be approved until the rezoning request is approved for the subject property. The governing zoning (“PD” – Planned Development District Ordinance No. 2000-11-092) primarily allows for office uses with limited retail as an accessory use, provided it does not exceed more than five percent of the total floor area for each proposed building.

Currently, the Future Land Use Plan (FLUP) designates the property for office uses. The properties located north and east to the subject property are currently being utilized for single family residential uses, the properties located west are being utilized for office uses, while the properties located south are undeveloped, but are zoned for office uses. The rezoning request will remain compatible with adjacent residential uses and will complement existing and surrounding office uses. In addition, the rezoning request will

support a continuous development pattern by preserving properties along Virginia Parkway for office uses with supporting retail. The rezoning request will achieve a balanced development pattern through compatible land 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 office 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 complement one another.”
- **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 north and east to the subject property are zoned for residential uses, while properties located west and south are zoned for office uses. The proposed rezoning request will remain compatible with adjacent residential uses and will complement existing and future office uses.
- **Fiscal Analysis:** The fiscal analysis shows a positive cost benefit of \$68,056 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 35 is currently comprised of approximately 68% residential uses and 31.8% non-residential uses (including 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 35 are comprised of approximately 83.3% from residential uses and 16.3% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 35 are comprised of approximately 89.5% ad valorem taxes and 10.5% 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:

- Draft 5.24.16 PZ Minutes
- 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. 2000-11-092
- Proposed Zoning Exhibit
- Proposed Zoning Exhibit – Metes and Bounds
- PowerPoint Presentation