

PLANNING & ZONING COMMISSION MEETING OF 11-08-16 AGENDA ITEM #16-299Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, AICP, 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 and “CC” – Corridor Commercial Overlay District to “C3” – Regional Commercial District and “CC” – Corridor Commercial Overlay District, Located Approximately 500 Feet West of Hardin Boulevard and on the North Side of 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 December 6, 2016 meeting.

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

APPLICATION SUBMITTAL DATE: October 10, 2016 (Original Application)
October 24, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 1.83 acres of land from “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to “C3” – Regional Commercial Overlay District, and “CC” – Corridor Commercial Overlay District generally for commercial uses.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 1687 (Commercial Uses), and “CC” – Corridor Commercial Overlay District	Undeveloped Land

North	“PD” – Planned Development District Ordinance No. 1687 (Commercial Uses), and “CC” – Corridor Commercial Overlay District	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 1883 (Light Industrial and Office Uses), and “CC” – Corridor Commercial Overlay District	Undeveloped Land
East	“C3” – Regional Commercial Overlay District (Commercial Uses), “CC” – Corridor Commercial Overlay District	Undeveloped Land
West	“BG” – General Business District (Commercial Uses), and “CC” – Corridor Commercial Overlay District	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone approximately 1.83 acres of land from “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to “C3” – Regional Commercial Overlay District, and “CC” – Corridor Commercial Overlay District. The applicant has indicated to Staff the desire to develop the subject property and the adjacent tract of land located east of the subject property (also zoned “C3” – Regional Commercial District) with commercial uses, such as retail and office uses. The applicant has requested to rezone the subject property “C3” – Regional Commercial District to establish similar development regulations on the subject property that are consistent with the adjacent tract of land that he intends to develop in the future with commercial uses.

Currently, the Future Land Use Plan (FLUP) designates the subject property for commercial uses. While the surrounding properties located north, south, east and west are undeveloped, they are all zoned for similar commercial uses. Staffs’ professional opinion is that the proposed zoning (“C3” – Regional Commercial District) for regional commercial uses along U.S. Highway 380 (University Drive) is appropriate and will remain compatible with future surrounding 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 commercial 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 commercial development along major highway corridors”.

- 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 uses, and as such should remain compatible with the surrounding properties.
- 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 52 is currently comprised of approximately 11.7% residential uses and 88.3% non-residential uses (including agricultural uses and properties located in the “ETJ” – Extraterritorial Jurisdiction). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 52 are comprised of approximately 91.8% from residential uses and 8.1% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 52 are comprised of approximately 95.7% ad valorem taxes and 4.3% 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. 1687
- Proposed Zoning Exhibit
- PowerPoint Presentation