

PLANNING & ZONING COMMISSION MEETING OF 02-28-17 AGENDA ITEM #16-193Z

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Samantha Pickett, 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 "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial District and "CC" – Corridor Commercial Overlay District, Located Approximately 520 Feet East of Community Avenue and on the South 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 March 21, 2017 meeting.

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

**APPLICATION SUBMITTAL DATE:** June 23, 2016 (Original Application)  
August 2, 2016 (Revised Submittal)  
October 24, 2016 (Revised Submittal)  
January 24, 2017 (Revised Submittal)  
February 10, 2017 (Revised Submittal)  
February 15, 2017 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 1.50 acres of land from "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial 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. 2000-02-017 and "CC" – Corridor Commercial Overlay District (Office Uses)	Undeveloped Land
North	"O" – Office District and "CC" – Corridor Commercial Overlay District (Office Uses)	Collin County Community College
South	"BG" – General Business District and "CC" – Corridor Commercial Overlay District (Commercial Uses)	Live Oak Creek Subdivision
East	"BG" – General Business District and "CC" – Corridor Commercial Overlay District (Commercial Uses)	Live Oak Creek Subdivision
West	"PD" – Planned Development District Ordinance No. 2007-09-086 and "CC" – Corridor Commercial Overlay District (Commercial Uses)	Brakes Plus

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial District and "CC" – Corridor Commercial Overlay District, generally for commercial uses.

Currently, the Future Land Use Plan (FLUP) designates the property for office uses. The property located north of the subject property is currently being utilized for institutional uses (Collin College), and the property located to the west is being utilized for commercial uses. The properties located to the south and east are currently being utilized for single family residential uses; however, the property is surrounded by a creek and dense vegetation, which serves as a buffer between the subject property and surrounding properties. Given the primary frontage along U.S. Highway 380 (University Drive), the width of the existing creek and vegetation, and uses on the properties to the north and west, it is Staff's opinion that the rezoning request is compatible and will complement the existing and surrounding 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 office uses. The FLUP modules diagram designates the subject property as Office Park 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 “land use patterns that optimize and balance the tax base of the city”.
- 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, with adjacent residential uses separated by a significant buffer. While the proposed rezoning request will alter the land use from what has been planned for the subject property, the proposed rezoning request should remain compatible with the adjacent properties.
- Fiscal Analysis: Staff performed a fiscal analysis for this case as the rezoning request would alter the land use. The fiscal analysis shows a positive cost benefit of \$33,689 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 16 is currently comprised of approximately 14.7% residential uses and 85.3% non-residential uses (including institutional and agricultural uses). The proposed rezoning request will impact on the anticipated land uses in this module. Estimated tax revenues in Module 16 are comprised of approximately 13.5% from residential uses and 86.5% from non-residential uses (including uses). Estimated tax revenues by type in Module 16 are comprised of approximately 74.8% ad valorem taxes and 25.2% 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
- Fiscal Analysis
- Land Use and Tax Base Summary
- Land Use Comparison Table
- Existing “PD” – Planned Development District Ordinance No. 2000-02-017
- Proposed Zoning Exhibit
- PowerPoint Presentation