

PLANNING & ZONING COMMISSION MEETING OF 03-14-17 AGENDA ITEM #17-037Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Samantha Pickett, Planning Manager

FROM: Danielle Quintanilla, 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 “REC” – Regional Employment Center Overlay District to “C1” – Neighborhood Commercial District, Located Approximately 200 Feet West of Lake Forest Drive and on the South Side of Collin McKinney Parkway

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the April 4, 2017 meeting.

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

APPLICATION SUBMITTAL DATE: February 13, 2017 (Original Application)
February 22, 2017 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 1.809 acres of land from “PD” – Planned Development District to “REC” – Regional Employment Center Overlay District to “C1” – Neighborhood Commercial District, generally for commercial uses.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 2007-12-133 and “REC” – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
North	“C1” – Neighborhood Commercial District and “PD – Planned Development District Ordinance No. 2002-05-038 (Commercial Uses)	Undeveloped Land

South	“PD” – Planned Development District Ordinance No. 2008-07-070 and “REC” – Regional Employment Center Overlay District (Multi-Family Residential Uses)	The Heights at Lake Forest Apartment Complex
East	“PD” – Planned Development District Ordinance No. 2006-02-010 and “REC” – Regional Employment Center Overlay District (Office, Commercial and Residential Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2008-07-070 and “REC” – Regional Employment Center Overlay District (Multi-Family Residential Uses)	The Heights at Lake Forest Apartment Complex

PROPOSED ZONING: The applicant is requesting to rezone the subject property to “C1” – Neighborhood Commercial District, generally for low intensity commercial uses. The governing zoning (“PD” – Planned Development District Ordinance No. 2007-12-133 and “REC” – Regional Employment Center Overlay District) designates the subject property as MU/EC – Mixed Use/Employment Center, which allows for a wide variety of uses, including office, commercial, and residential uses. The governing PD also calls for the property to be developed in an urban form, with a greater rear yard setback to allow for parking in the rear and for the building to be pulled up to the street. The applicant has indicated the potential for the property to develop for commercial uses; however, would like to develop in a suburban form with parking in the front and the building set back from the street. Additionally, the proposed zoning will typically allow for less intense uses than the current zoning.

Currently, the Future Land Use Plan (FLUP) designates the property for commercial uses. The properties located to the west and south are being utilized for multi-family residential dwellings, while the properties located north and east of the subject property are currently undeveloped but zoned for similar non-residential uses. In Staff’s opinion, the rezoning request will remain compatible with the adjacent uses and zonings, 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 Tollway Commercial 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 “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 to the west and south of the subject property are currently being utilized for multi-family residential uses, while the properties to the east and north are undeveloped but zoned for non-residential uses. As such, the proposed rezoning request 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 12 is currently comprised of approximately 14.9% residential uses and 85.1% 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 12 are comprised of approximately 23.1% from residential uses and 76.9% from non-residential uses (including mixed-use, and agricultural uses). Estimated tax revenues by type in Module 12 are comprised of approximately 60.8% ad valorem taxes and 39.2% 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
- Land Use and Tax Base Summary
- Land Use Comparison Table
- Existing “PD” – Planned Development District Ordinance No. 2007-12-133
- Existing “PD” – Planned Development District Ordinance No. 2002-05-038
- Proposed Zoning Exhibit
- PowerPoint Presentation