



17-113Z

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “C” - Planned Center District and “CC” - Corridor Commercial Overlay District to “C3” - Regional Commercial District, “LI” - Light Industrial District and “CC” - Corridor Commercial Overlay District, Located Approximately 1,875 Feet North of Wilmeth Road and on the East Side of U.S. Highway 75 (Central Expressway); and Accompanying Ordinance

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: July 18, 2017

DEPARTMENT: Planning

CONTACT: Brian Lockley, Director of Planning, AICP, CPM
Samantha Pickett, Planning Manager
Danielle Quintanilla, Planner I

RECOMMENDED CITY COUNCIL ACTION: Staff recommends approval of the proposed rezoning request.

APPLICATION SUBMITTAL DATE: April 21, 2017(Original Application)
May 23, 2017 (Revised Submittal)
May 30, 2017 (Revised Submittal)
June 2, 2017 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 3.89 acres of land from “C” - Planned Center District and “CC” - Corridor Commercial Overlay District to “C3” - Regional Commercial District, “LI” - Light Industrial District and “CC” - Corridor Commercial Overlay District, generally for commercial and industrial uses.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
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Subject Property	"C" - Planned Center District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Undeveloped Land
North	"C3" - Regional Commercial District (Commercial Uses), "LI" - Light Industrial District (Industrial Uses) and "CC" - Corridor Commercial Overlay District	Undeveloped Land
South	"C" - Planned Center District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Morton Buildings and Undeveloped Land
East	"AG" - Agricultural District (Agricultural Uses) and "CC" - Corridor Commercial Overlay District	Undeveloped Land
West	"C" - Planned Center District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Ag-Power, Inc.

PROPOSED ZONING: The applicant is requesting to rezone approximately 3.89 acres of land from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District, "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, generally for commercial and industrial uses. More specifically, the western 2 acres will be zoned "C3" - Regional Commercial District, while the eastern 1.8 acres will be zoned "LI" - Light Industrial District. The applicant has indicated their intent to utilize the western tract for commercial uses and the eastern tract for commercial and industrial uses.

Currently, the Future Land Use Plan (FLUP) designates the property for commercial uses. The property located north was rezoned in May of 2017 to the same rezoning tract designation of the "C3" District on the western tract and the "LI" District on the eastern tract. The property to the south is zoned for commercial and office uses, while the properties located to the east are zoned or used for industrial uses. Given the frontage on U.S. Highway 75 (Central Expressway) and the existing commercial zoning, it is Staff's professional opinion that the rezoning request will preserve the commercial zoning of the area. Additionally, given the industrial designation of the properties to the east within the Future Land Use Plan, Staff is of the opinion that the proposed rezoning request will serve as a transition to the current and future industrial uses to the east. 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 Regional 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 “Economic Development Vitality for a Sustainable and Affordable Community” through the stated objective of the Comprehensive Plan, “a balanced development pattern”.

IMPACT ON SUBJECT AND SURROUNDING PROPERTIES:

- Impact on Infrastructure: The proposed rezoning request may have an 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. The proposed rezoning request should remain compatible with the adjacent properties.
- Land Use and Tax Base Summary: Module 28 is currently comprised of approximately 0% residential uses and 100% non-residential uses (including institutional uses). The proposed rezoning request will have an impact on the anticipated land uses in this module with the addition of light industrial uses. Estimated tax revenues in Module 28 are comprised of approximately 0% from residential uses and 100% from non-residential uses. Estimated tax revenues by type in Module 28 are comprised of approximately 20.5% ad valorem taxes and 79.5% sales and use taxes.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of commercial or industrial 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 rezoning request.

BOARD OR COMMISSION RECOMMENDATION: On June 27, 2017, the Planning and Zoning Commission voted 6-0-0 to recommend approval of the proposed rezoning request.

SUPPORTING MATERIALS:

[PZ Minutes 062717](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Comprehensive Plan Maps](#)

[Land Use and Tax Base Summary Map](#)

[Land Use Comparison Table](#)

[Ex. PD Ord. No. 97-04-16](#)

[Proposed Ordinance](#)

[Proposed Exhibits A-C](#)

[PowerPoint Presentation](#)