

17-050Z2



**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “BN” - Neighborhood Business District to “C1” - Neighborhood Commercial District, Located at 1827 West Louisiana Street; and Accompanying Ordinance

**COUNCIL GOAL:** Direction for Strategic and Economic Growth

**MEETING DATE:** April 18, 2017

**DEPARTMENT:** Planning

**CONTACT:** Brian Lockley, Director of Planning, AICP, CMP  
Samantha Pickett, Planning Manager  
Melissa Spriegel, Planner I

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

**APPLICATION SUBMITTAL DATE:** February 27, 2017 (Original Application)  
March 13, 2017 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 0.29 acres of land from “BN” - Neighborhood Business District to “C1” - Neighborhood Commercial District, generally for commercial uses.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“BN” - Neighborhood Business District (Commercial Uses)	Creating in Cahoots
North	“BN” - Neighborhood Business District and “C” - Planned Center District (Commercial Uses)	Kwal Paint, Baker Distributing Company, and McKinney Spine and Wellness

South	"PD" - Planned Development District Ordinance No. 1338 (Multi-family Residential Uses)	Bent Creek Apartments
East	"BN" - Neighborhood Business District (Commercial Uses)	Developing Solutions
West	"BN" - Neighborhood Business District (Commercial Uses)	Spectrum Realty

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from "BN" - Neighborhood Business District to "C1" - Neighborhood Commercial District. Although the governing zoning primarily allows for commercial uses, the applicant has indicated their intent to utilize the existing building on the subject property for a veterinarian clinic, which is not permitted under the existing zoning district.

Currently, the Future Land Use Plan (FLUP) designates the property for commercial uses. The properties located north, east, and west of the subject property are currently being utilized for similar commercial and office uses, and the property located to the south is being utilized for multi-family residential uses. Given the frontage on Louisiana Street, the existing commercial zoning, and uses on the properties to the north, east, 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 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 "Land Use Compatibility and Mix" by creating a "mix of land uses that provides for various lifestyle choices".
- 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 and

office uses. The proposed rezoning request will not alter the land use from what has been planned for the subject property, and as such should remain compatible with the surrounding properties.

- Land Use and Tax Base Summary: Module 27 is currently comprised of approximately 14.1% residential uses and 85.9% non-residential uses (including institutional uses). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 27 are comprised of approximately 6.6% from residential uses and 93.4% from non-residential uses. Estimated tax revenues by type in Module 27 are comprised of approximately 41.1% ad valorem taxes and 58.9% 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.

**BOARD OR COMMISSION RECOMMENDATION:** On March 28, 2017 the Planning and Zoning Commission voted 7-0-0 to recommend approval of the rezoning request.

**SUPPORTING MATERIALS:**

[PZ Minutes 032817](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Comprehensive Plan Maps](#)

[Land Use and Tax Base Summary](#)

[Land Use Comparison Table](#)

[Proposed Ordinance](#)

[Proposed Exhibits A-B](#)

[PowerPoint Presentation](#)