



18-0100Z4

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “AG” - Agricultural District, “REC” - Regional Employment Center Overlay District, and “CC” - Corridor Commercial Overlay District to “C3” - Regional Commercial Overlay District and “CC” - Corridor Commercial Overlay District, Located Approximately 800 Feet East of Hardin Boulevard and on the North Side of State Highway 121 (Sam Rayburn Tollway), and Accompanying Ordinance

COUNCIL GOAL: Direction for Strategic and Economic Growth
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential, and open space)

MEETING DATE: December 4, 2018

DEPARTMENT: Planning

CONTACT: Jennifer Arnold, AICP, Director of Planning
Samantha Pickett, AICP, Planning Manager
David Soto, Planner I

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

APPLICATION SUBMITTAL DATE: August 13, 2018 (Original Application)
September 10, 2018 (Revised Submittal)
September 14, 2018 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 18.29 acres of land from “AG” - Agricultural District, “REC” - Regional Employment Center Overlay District, and “CC” - Corridor Commercial Overlay District to “C3” - Regional Commercial District and “CC” - Corridor Commercial Overlay District, generally for commercial uses.

On September 25, 2018, The Planning and Zoning Commission voted 7-0-0 to continue the public hearing and table the item to the October 9, 2018 Planning and Zoning Commission Meeting.

On November 6, 2018, City Council voted 7-0-0 to table the item indefinitely per the applicant's request.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"AG" - Agricultural District (Agricultural Uses), "REC" - Regional Employment Overlay District, and "CC" - Corridor Commercial Overlay District	Undeveloped Land
North	"GC" - Governmental Complex District (Institutional Uses) and "CC" - Corridor Commercial Overlay District	MISD Stadium
South	City of Allen	Undeveloped Land
East	"PD" - Planned Development District Ordinance No. 2009-08-059 (Commercial Uses), "REC" - Regional Employment Overlay District, and "CC" - Corridor Commercial Overlay District	Oncor Electric
West	"PD" - Planned Development District Ordinance No. 1578 (Industrial Uses) and "CC" - Corridor Commercial Overlay District	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone the subject property generally to allow for commercial uses ("C3" - Regional Commercial District). The current zoning ("AG" - Agricultural District) has been in place since the property was annexed into the City; however, the intent was to rezone the property for non-residential uses as development emerged in the area.

The adjacent properties (including the MISD Stadium to the north) are zoned or used for higher intensity uses, which is appropriate with the adjacency to a tollway (S.H. 121). Given the growing development along SH 121, and the increase of non-residential uses in the area, it is Staff's professional opinion the rezoning request is appropriate for the subject property and will help to develop this portion of the tollway for regional commercial 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 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 “Economic Development Vitality for a Sustainable and Affordable Community” through the stated objective of the Comprehensive Plan, a “balanced development pattern”.
- 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. The proposed rezoning request will remain compatible with the surrounding properties.
- Land Use and Tax Base Summary: 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.

BOARD OR COMMISSION RECOMMENDATION: On October 9, 2018 the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.

SUPPORTING MATERIALS:

[PZ Minutes 100918](#)

[PZ Minutes 092518](#)

[Letter of Intent](#)

[Comprehensive Plan Maps](#)

[Land Use and Tax Base Summary](#)

[Land Use Comparison Table](#)

[Proposed Ordinance](#)

[Proposed Exhibits A-B](#)

[Presentation](#)