



17-203Z

TITLE: 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 265 Feet West of Lake Forest Drive and on the North Side of Collin McKinney Parkway; and Accompanying Ordinance

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: September 19, 2017

DEPARTMENT: Planning

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

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

ITEM SUMMARY: The applicant is requesting to rezone approximately 0.72 acres of land from “PD” - Planned Development District and “REC” - Regional Employment Center Overlay District to “C1” - Neighborhood Commercial District, generally for commercial uses.

APPLICATION SUBMITTAL DATE: July 14, 2017 (Original Application)
August 8, 2017 (Revised Submittal)

ZONING:

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

North	"PD" - Planned Development District Ordinance No. 2002-05-038 and "REC" - Regional Employment Center Overlay District (Single Family Residential Uses)	Village Park Subdivision
South	"C1" - Neighborhood Commercial District (Commercial Uses); "PD" - Planned Development District Ordinance No. 2006-02-010 and "REC" - Regional Employment Center Overlay District (Office Uses)	Undeveloped Land
East	"C1" - Neighborhood Commercial District (Commercial Uses)	Undeveloped Land
West	"C1" - Neighborhood Commercial District (Commercial Uses)	Undeveloped Land

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. 2002-05-038 and "REC" - Regional Employment Center Overlay District) primarily allows for retail uses developed in an urban form, with a greater rear yard setback to allow for parking in the rear and for the building to front 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.

Within the last year, two similar rezoning requests were submitted and approved for "C1" - Neighborhood Commercial District on the properties immediately east and west of the subject property. In Staff's professional opinion the rezoning request will complement the adjacent properties and provide consistency among the developments at this location. 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 residential uses. The FLUP modules diagram designates the subject property as Urban Mix 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" by creating 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 and residential uses. The proposed rezoning request will not alter the land use from what has been planned for the subject property.
- Land Use and Tax Base Summary: Module 13 is currently comprised of approximately 53.9% residential uses and 46.1% non-residential uses (including 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 13 are comprised of approximately 80.4% from residential uses and 19.6% from non-residential uses. Estimated tax revenues by type in Module 13 are comprised of approximately 87.6% ad valorem taxes and 12.4% 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 August 22, 2017 the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.

SUPPORTING MATERIALS:

[PZ Minutes 08.22.pdf](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Comprehensive Plan Maps](#)
[Land Use and Tax Base Summary](#)
[Land Use Comparison Table](#)
[Ex. PD Ord. No. 2002-05-038](#)
[Proposed Ordinance](#)
[Proposed Exhibits A-B](#)
[PowerPoint Presentation](#)