



COUNCIL AGENDA ITEM MEMORANDUM

DEPT. / DIVISION SUBMISSION AND REVIEW:

Jason Deckman, Senior Planner
Brian Chandler, Director of Planning

ITEM DESCRIPTION: SECOND & FINAL READING - FY-20-32-ZC: Consider adopting an ordinance authorizing a rezoning from Agricultural (AG) to Neighborhood Service (NS) on 47.809 acres addressed as 2420 West Nugent Avenue.

BACKGROUND: The subject property is located at the northeast corner of the intersection of West Nugent Avenue and Eberhardt Road. The applicant requests a rezoning from Agricultural (AG) to Neighborhood Service (NS). The applicant initially requested a rezoning to General Retail (GR) but changed his request to Neighborhood Service (NS) to remove the potential of duplex development. Since the NS zoning district is more restrictive than the GR district, renotification is not necessary.

The applicant's requested Neighborhood Service (NS) zoning district is the most restrictive retail district and is intended to provide retail and service needs for residential neighborhood service areas. The NS zoning district permits limited retail services with uses such as convenience store, bank, barber or beauty shop, small cleaners, as well as single-family residential uses.

Surrounding Property and Uses: An attached table provides Zoning, Future Land Use Plan (FLUP) designations, and current land uses surrounding the subject property.

Development Regulations: In accordance with UDC Sections 4.4 through 4.6, the attached table shows the residential and non-residential dimensional standards for Neighborhood Service (NS).

ALIGNMENT WITH ADOPTED PLANS:

Strategic Plan

The proposed rezoning supports the following Strategic Plan goal: "A City that supports well-managed growth and development to promote a thriving economy, as well as the Strategic Plan commitment to "Facilitate high quality, safe, and strategic community growth."

Future Land Use and Character Plan (FLUP) (CP Map 3.1)

The *Choices '08* City of Temple Comprehensive Plan shows this area as Business Park. This recommendation is envisioned for office, service and research and technology-related uses in a campus-like environment.

The proposed Future Development Plan of the draft Comprehensive Plan also designates the subject property as “Business Park”. This request is compatible.

Thoroughfare Plan (CP Map 5.2) and Temple Trails Master Plan Map and Sidewalk Ordinance

The subject property fronts West Nugent Avenue and Eberhardt Road. Both are classified as a minor arterial. Minor arterials are appropriate for nonresidential and mixed uses.

There are no sidewalks along West Nugent Avenue or Eberhardt Road. Unified Development Code Section 8.2.3: Sidewalks & Trails requires 6-foot wide sidewalks along minor arterials. Although properties within Industrial Parks are exempted from sidewalks, the subject property is located south of the Northwest Industrial Park. Required sidewalks will be more fully addressed during the platting process.

Availability of Public Facilities (CP Goal 4.1)

An existing 8-inch water line is located within West Nugent Avenue right-of-way. An existing 12-inch water line is located within Eberhardt Road right-of-way.

Existing 8-inch and 12-inch sanitary sewer lines run diagonally across the subject property. Existing 8-inch and 12-inch sanitary sewer lines are located within Eberhardt Road right-of-way.

ALTERNATIVES: Several alternatives were discussed with the applicant, but the requested rezoning was the only option the applicant wanted to pursue.

STAFF RECOMMENDATION: Staff recommends approval of a rezoning from Agricultural (AG) to Neighborhood Service (NS) for the following reasons:

1. Compliance with the Future Land Use Plan;
2. Compliance with surrounding zoning and land uses;
3. Compliance with the Thoroughfare Plan; and
4. Compliance with availability of public facilities to serve the subject property

BOARDS & COMMISSIONS RECOMMENDATIONS:

Planning & Zoning Commission Review: At the August 17, 2020 meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval per staff's recommendation.

FISCAL IMPACT: No fiscal impacts have been identified from this proposed rezoning request.

PUBLIC NOTICE: Forty-three (43) notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Thursday, September 10, 2020, no notices have been returned in favor of the proposed rezoning and 2 notices have been returned in opposition to the proposed rezoning.

The newspaper printed the notice of the public hearing on August 5, 2020, in accordance with state law and local ordinance.

ATTACHMENTS:

Site and Surrounding Property Photos

Maps

Development Regulation Tables

Notification Response Letters

Ordinance