



Planning and Zoning Commission Planning Department Staff Report

Report Date: March 29, 2019
Case No: 2019-2-REZ
Project Planner: Ethan Harwell, Planner

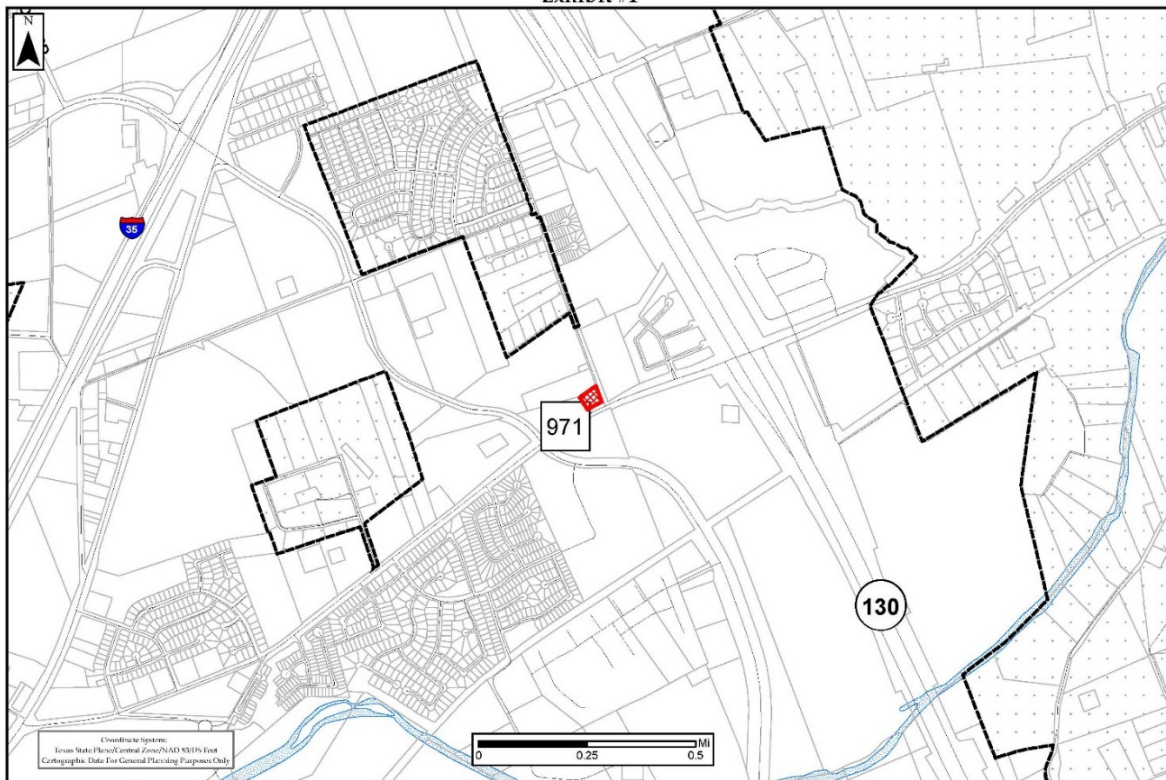
Item Details

Project Name: Soul Fighters Brazilian Jiu-Jitsu and After School Program
Project Location: 1535 FM 971, within City Council district No. 7.
Total Acreage: 0.93 acres
Legal Description: Being .093 of an acre of land, situated in the Antonio Flores Survey, Abstract No. 235.
Applicant: Soul Fighters Brazilian Jiu-Jitsu and After School Program, c/o Luiz Henrique da Gama Gueiros
Property Owner: Luiz Henrique da Gama Gueiros
Request: Zoning Map Amendment to rezone the subject property from **AG, Agriculture** to **C-1, Local Commercial**.
Case History: This is the first public hearing of this request.



Location Map
2019-2-REZ
Exhibit #1

Legend
Site
Parcels
City Limits
Georgetown ETJ



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Overview of Applicant's Request

The applicant is requesting to rezone the property to the C-1, Local Commercial District, to allow the development of a facility to house a martial arts studio and an after school program (Exhibit 5, Letter of Intent).

Site Information

Location:

The subject property is located at 1535 FM 971, generally located on the northwest corner of FM 971 (Weir Road) and CR 152, approximately 700 feet east of the NE Inner Loop and FM 971 intersection. Currently, the subject property is not utilized and has two existing structures.

Physical and Natural Features:

The subject property is relatively flat and cleared. There is little to no tree coverage, and it is not within the 100-year floodplain.

Future Land Use and Zoning Designations:

The subject property has a Moderate Density Residential Future Land Use designation and is currently zoned AG, Agriculture. It is also a part of the Scenic-Natural Gateway Overlay District along FM 971.

Surrounding Properties:

The subject property is located in a portion of the City that is still primarily undeveloped. It sits directly between an area designated for institutional uses, where there already an existing elementary and middle school, and an area designated for future high density residential development, to the east, that is undeveloped. Some single-family residential development exists further to the west and north of this site. More single-family residential development is currently under construction further south along NE Inner Loop.

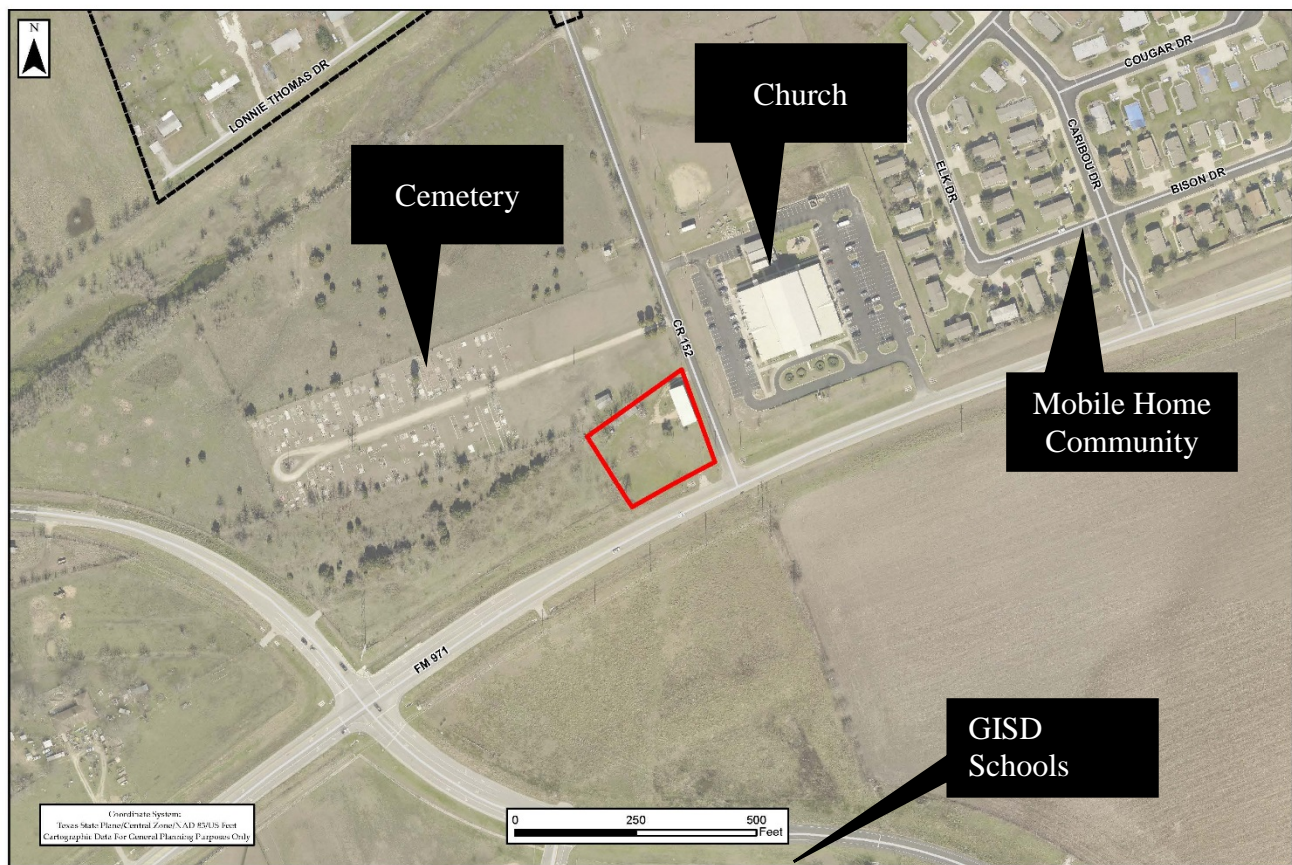
The current zoning, Future Land Use designation, and existing uses of the adjacent properties to the north, south, east and west are outlined in the table below:

DIRECTION	ZONING DISTRICT	FUTURE LAND USE	EXISTING USE
North	AG	Mod. Density Residential	Cemetery
South	RS	Institution / HDR	Undeveloped
East	AG	Mod. Density Residential	Church
West	C-1	Mod. Density Residential	Undeveloped



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Aerial



Property History:

The subject property was annexed into the City Limits in 1998, at which time it was designated its current AG, Agriculture, zoning district.

Comprehensive Plan Guidance

Future Land Use Map:

The Moderate Density Residential category is described in the 2030 Comprehensive Plan as comprising single family neighborhoods that can be accommodated at a density ranging between 3.1 and 6 dwelling units per gross acre, with housing types including small-lot detached and attached single-family dwellings (such as townhomes). This category may also support complementary non-residential uses along major roadways such as neighborhood-serving retail, office, institutional, and civic uses, although such uses may not be depicted on the Future Land Use Map.

Growth Tier:

The subject property is in **Tier 1A – Developed/Redeveloping**. Tier 1A is that portion of the city where infrastructure systems are in place, or can be economically provided, and where the bulk of the city's growth should be guided over the near term. Within Tier 1A, the city is called on to conduct assessments of public facility conditions and capacities, and to prioritize short and long term capital investments so as to ensure that infrastructure capacity is sufficient to serve development intensities

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as indicated on the Future Land Use Map and in the zoning districts.

Utilities

The subject property is located within the City's service area for water and wastewater. Additionally, it is located within the City of Georgetown and Pedernales Electric Cooperative (PEC) dual service areas for electric. It is anticipated that there is adequate capacity to serve the subject property at this time. A Utility Evaluation may be required at time of Site Development Plan to determine capacity and any necessary utility improvements.

Transportation

The subject property fronts onto FM 971 and CR 152. The Overall Transportation Plan identifies these streets as a major arterial road and a major collector road, respectively. An expansion of FM 971 is expected to take place by TxDOT. Additionally, based on the frontage along FM 971 and posted speed limit, driveway access will be limited to CR 152.

Arterial streets provide traffic movement through and between different areas within the city and access to adjacent land uses. Access is more controllable because driveway spacing requirements are much greater and, if safety dictates, overall access can be limited to specific turning movements. Major Arterials connect major traffic generators and land use concentrations and serve much larger traffic volumes over greater distances.

Collector streets are intended to balance traffic between arterial streets and local streets. These streets tend to carry a high volume of traffic over shorter distances, providing access and movement between neighborhoods, parks, schools, retail areas and the arterial street system. In this case, CR 152 provides access to FM 971 from the Crystal Knoll neighborhood.

A Traffic Impact Analysis (TIA) will be required at time of Site Development Plan for any development that generates more than two thousand (2,000) average daily trips based upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

Proposed Zoning district

The Local Commercial (C-1) district is intended to provide areas for commercial and retail activities that primarily serve residential areas. Uses should have pedestrian access to adjacent and nearby residential areas, but are not appropriate along residential streets or residential collectors. The district is more appropriate along major and minor thoroughfares and corridors.

Permitted uses in this district include, but are not limited to, assisted living, financial centers, food catering services, general retail and office, and library and museums. Other uses such as bar/tavern/pun, car wash, church, and fuel sales are permitted subject to specific design limitations. Certain land uses, including event facilities, event market, and restricted personal services, require a Special Use Permit (SUP). Exhibit 4 contains a comprehensive list of C-1 district permitted uses and development standards.

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Intergovernmental and Interdepartmental Review

The proposed rezoning request was reviewed by all applicable City Departments to determine the appropriateness of the requested zoning on the subject property. No comments were issued regarding the zoning request.

Approval Criteria

Staff has reviewed the proposed rezoning request and has found that it complies with the criteria established in UDC Section 3.06.030 for a Zoning Map Amendment, as outlined below:

APPROVAL CRITERIA	FINDINGS	STAFF COMMENTS
1. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action.	Complies	An application must provide the necessary information to review and make a knowledgeable decision in order for staff to schedule an application for consideration by the Planning and Zoning Commission and City Council. This application was reviewed by staff and deemed to be complete.
2. The zoning change is consistent with the Comprehensive Plan.	Complies	The future land use designation of Moderate Density Residential provides for a variety of uses within it. The primary use under that designation is traditional residential uses, but the designation also provides for complementary and supporting non-residential uses such as commercial, civic, or institutional uses at key locations. The subject property is located at the intersection of a major arterial and collector road – a key location for commercial uses to develop. The proposed zoning district, C-1, would allow for this commercial to develop, while serving the surrounding neighborhoods and providing a gateway transition into neighborhoods.
3. The zoning change promotes the health, safety or general welfare of the City and the safe orderly, and healthful development of the City.	Complies	The proposed zone change promotes the safe and orderly development of the City by facilitating a moderately intense use at the intersection of two major thoroughfares that will serve surrounding existing and future residential neighborhoods. This site is

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APPROVAL CRITERIA	FINDINGS	STAFF COMMENTS
		well served by transportation infrastructure and will contribute to the aesthetic look of the area by providing a gateway landscaping buffer and buffering to the adjacent cemetery use.
4. The zoning change is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood.	Complies	The subject property is located in a part of the City experiencing a large amount of redevelopment. In this part of the City we have seen several new single-family and multi-family housing projects. Immediately adjacent to this property there is a moderately intense use, a church, and an undeveloped tract that currently has the same zoning classification that is being requested for this property. In the area, there is a middle school and an elementary school, as well as existing and planned residential neighborhoods. The proposed zone change is compatible with the character that is being developed for the area.
5. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment.	Complies	The subject property has no natural features that would limit development, permitted under this proposed zoning, on the site. This 1-acre property will be able to accommodate uses permitted within the requested C-1 zoning district

In summary, this request meets the criteria for a rezoning in several ways. The proposed zoning district would provide for uses that complement the neighboring uses, in a way that is still sensitive to the existing character of the area, by providing a gateway and transition off of the major arterial road into the surrounding neighborhoods. The subject property's location at the intersection of a major collector and major arterial would also be appropriate for the proposed zoning district.

Meetings Schedule

April 2, 2019 – Planning and Zoning Commission

April 23, 2019 – City Council First Reading of the Ordinance

May 14, 2019 – City Council Second Reading of the Ordinance

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Public Notification

As required by the Unified Development Code, all property owners within a 200-foot radius of the subject property and within the subdivision were notified of the Zoning Map Amendment request (6 notices), a legal notice advertising the public hearing was placed in the Sun Newspaper (March 17, 2019) and signs were posted on-site. To date, staff has received no written comments in favor or in opposition to the request.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Future Land Use Map

Exhibit 3 – Zoning Map

Exhibit 4 – Design and development standards of the Local Commercial (C-1) district

Exhibit 5 – Letter of Intent