



## Planning and Zoning Commission Planning Department Staff Report

**Report Date:** September 3, 2021  
**Case No:** 2021-17-REZ  
**Project Planner:** Ethan Harwell, Senior Planner

### Item Details

**Project Name:** 4230 Williams Drive Rezoning  
**Project Location:** 4230 Williams Drive  
**Total Acreage:** 2.3832 acres  
**Legal Description:** 2.3832 acres in the David Wright Survey, Abstract No. 13

**Applicant:** Brenda Davis  
**Property Owner:** Brenda Davis

**Request:** Zoning Map Amendment to rezone the subject property from **Agriculture (AG)** to **Local Commercial (C-1)**.

**Case History:** This is the first public hearing of this request.



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### Overview of Applicant's Request

The applicant's letter of intent states the proposed rezoning will bring the subject property into conformance with the way it has been used, for the last 25 years, as a retail store and professional office space.

### Site Information

#### **Location:**

The subject property is located on the south side of William's Drive approximately 0.4-miles east of DB Woods Road. Several small buildings make a small complex housing small businesses including boutique stores, a florist, and office space.

#### **Physical and Natural Features:**

The front half of the subject property is developed and the back portion exists in a natural state with moderate tree density. Three driveways of gravel and asphalt serve the existing development.

#### **Future Land Use and Zoning Designations:**

The subject property has a Mixed Density Neighborhood future land use designation and is currently zoned Agriculture (AG). The subject property is also part of the Scenic-Natural Gateway Overlay district.

#### **Surrounding Properties:**

Generally, development within this area of Williams Drive is sprawling and scattered. Commercial development along the corridor fits in around parcels left out of adjacent single-family residential developments and is primarily auto-oriented. Newer retail and office developments exist around the intersection of Williams Drive and DB Woods Road/Shell Road and around newer multi-family developments to the east of the subject property. Some undeveloped commercial tracts still exist within this area of the corridor east of DB Woods Road/Shell Road although they are entitled. Directly across Williams Drive from the subject property plans have been approved for an automotive repair, but the project is yet to break ground on construction. The tract to the south and west of the subject property is a large 105-acre nature preserve known as the Godwin Ranch Preserve. This property is managed by the Texas Cave Management Association due to its suitability as habitat for multiple species of karst invertebrates.

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:

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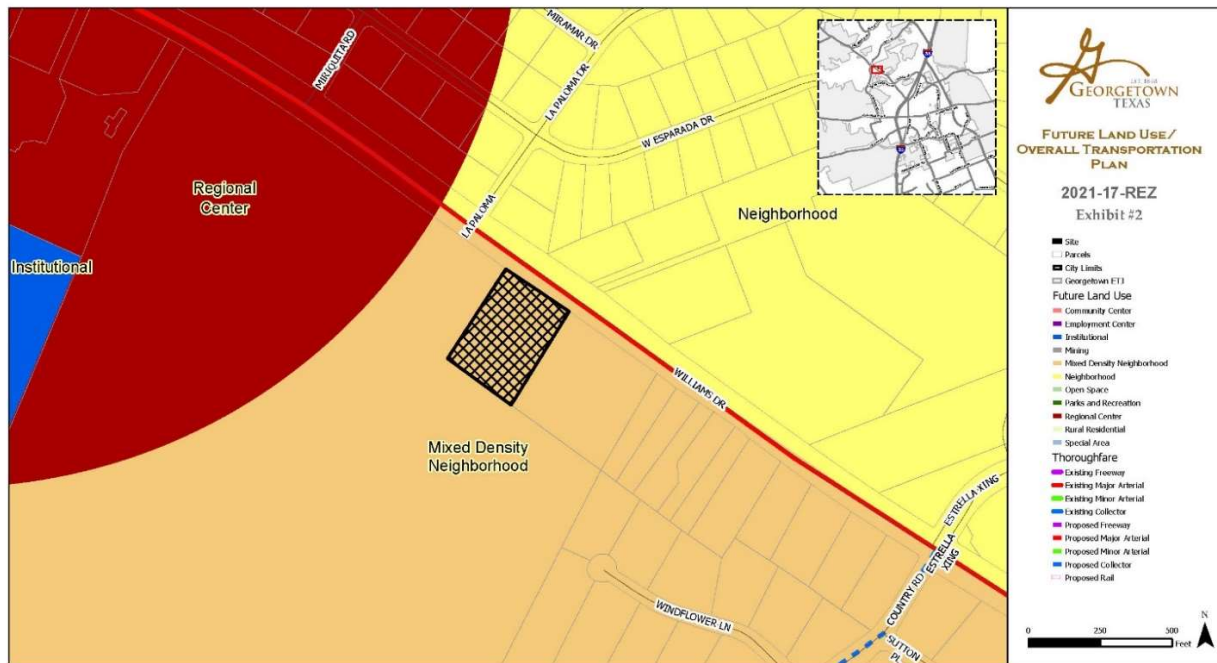
DIRECTION	ZONING DISTRICT	FUTURE LAND USE	EXISTING USE
North	General Commercial (C-3) & Agriculture (AG)	Neighborhood	Undeveloped, Automotive Repair (under development)
East	Agriculture (AG)	Mixed Density Neighborhood	Single-Family Home
South	Agriculture (AG)	Mixed Density Neighborhood	Nature Preserve
West	Agriculture (AG)	Mixed Density Neighborhood	Nature Preserve



### Property History:

The subject property was annexed into the city as part of an involuntary annexation in 2005 (Ordinance No. 2005-94) and was zoned Agriculture (AG) alongside the adjacent properties. The applicant has used the property in its current manner since they purchased it in 1996.

### Future Land Use Map:



### Mixed-Density Neighborhood (MDN)

This category includes a blend of single-family and medium-density housing types. Medium density housing options are consistent with and complementary to the traditional single-family neighborhood with emphasis on connectivity and access to neighborhood amenities including schools and parks. Development standards for medium density housing and any nonresidential uses are in place to ensure compatibility through increased setbacks for taller buildings, architectural designs that are consistent with the neighborhood, location of more intense uses and development nearer to the edge of developments, and enhanced landscaping. Additionally, any non-residential uses are located primarily at arterials and other major roadway intersections and include appropriate buffering and pedestrian orientation to support the surrounding residents.

**DUA:** 5.1-14.0

**Target Ratio:** 80% residential, 20% nonresidential

**Primary Use:** Variety of single-family home types (detached, duplex, townhome)

**Secondary Uses:** Limited neighborhood-serving retail, office, institutional, and civic uses

### Williams Drive Corridor – Serenada Drive to Cedar Lake Boulevard

The Williams Drive corridor extends the entire length of Williams Drive between the City limits and I-35 and continues across I-35 along Austin Avenue. Near I-35, development is generally aging commercial development and redevelopment efforts. As the corridor extends westward toward the ETJ, development becomes less intensive and dense.

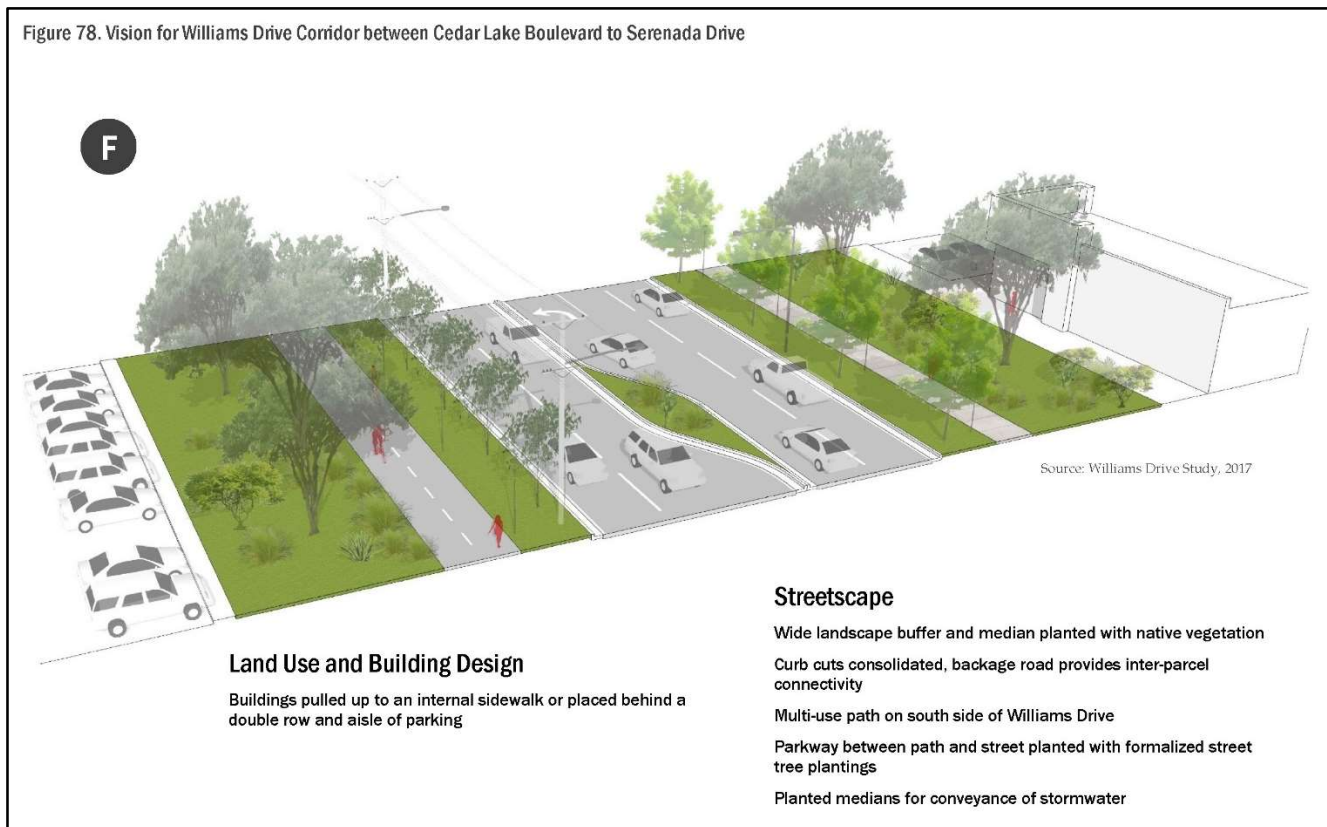
The segment of the corridor from Serenda Drive to Cedar Lake Boulevard supports primarily moderate density single-family development, some high-density residential development, and commercial pad sites or strip centers. The streetscape in this segment should provide drivers with a pleasant driving



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environment and pedestrians with space to separate them from vehicular traffic and amenities such as shade trees, clear crossings at driveways, and pedestrian scale buildings.

Figure 78. Vision for Williams Drive Corridor between Cedar Lake Boulevard to Serenada Drive



### Utilities

The subject property is located within the City's service area for electric, wastewater, and water. 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 at the time of any future redevelopment to determine capacity and any necessary utility improvements.

### Transportation

The subject property is directly off the southern border of William Drive which is classified as a Major Arterial road. 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. Example, Williams Drive provides traffic flow to and from Interstate-35 and has several large residential developments that connect into it.

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.

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### Proposed Zoning district

#### Local Commercial (C-1)

The Local Commercial (C-1) zoning 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/pub, church, and self-storage are permitted subject to specific design limitations. Certain land uses, including event facilities, event market, car wash, fuel sales, 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

### 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.

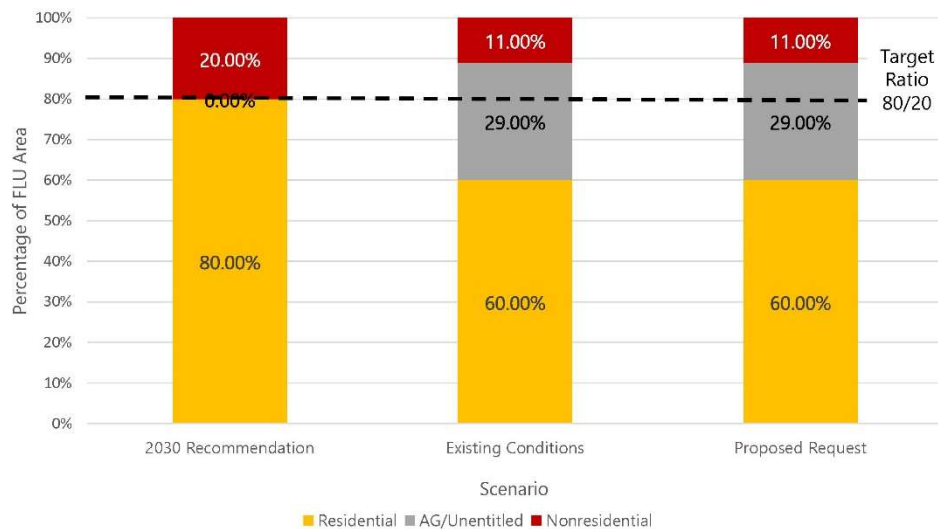
### Approval Criteria

Staff has reviewed the proposed rezoning request and has found that it complies with 5 of the 5 criteria established in UDC Section 3.06.030 for a Zoning Map Amendment, as outlined below:

ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA	
<b>1. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action.</b>	<b>Complies</b>
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.	
<b>2. The zoning change is consistent with the Comprehensive Plan.</b>	<b>Complies</b>
The subject property has a Future Land Use designation of Mixed Density Neighborhood. This guidance provided in the description of the Mixed Density Neighborhood areas calls for properties along major roadways, like Williams Drive, to be developed with neighborhood serving retail, office, or institutional uses. Additionally, Policy LU.3 encourage the development of “complete neighborhoods” – neighborhoods that provide a variety of housing options and services for its residents.  The Mixed Density Neighborhood designation also has a target land use ratio of 80% residential to 20% non-residential. The subject property constitutes approximately 0.35% of the total land area thus being essentially negligible. Interesting to note, though, is that the nature preserve swill prevent realization of the 2030 Plan Recommendation.	

ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA

Ratios with Nature Preserve:

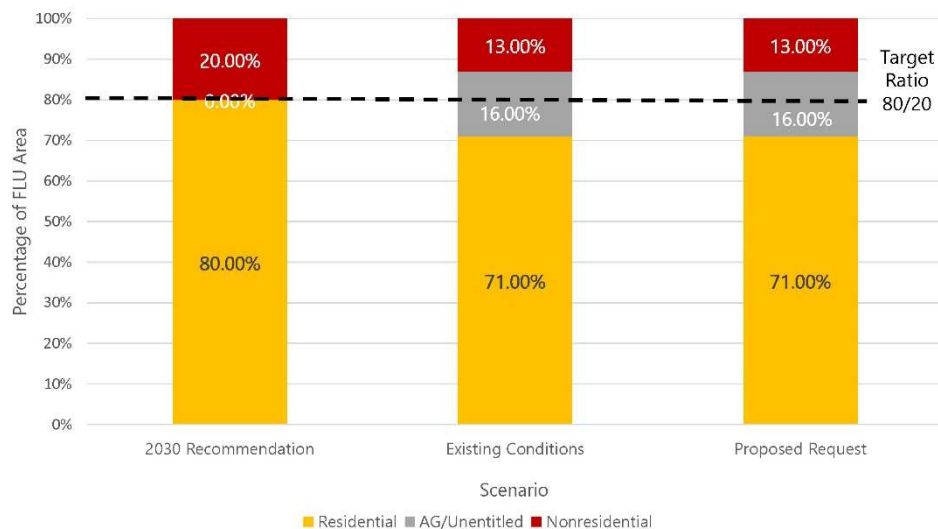


Total Area:  
656 acres  
100%

Area of Subject Property:  
2.32 acres  
0.35%

AG/Unentitled:  
192.6 acres  
29%

Ratio without Nature Preserve:



Total Area:  
550 acres  
100%

Area of Subject Property:  
2.32 acres  
0.42%

AG/Unentitled:  
86.9 acres  
16%

The subject property is appropriately located along Williams Drive to support the intensity of development allowed within the Local Commercial (C-1) district with enough separation and buffering to prevent conflict with adjacent single-family development. Additionally, its placement along Williams Drive means that the rezoning would support policy LU.7 support our Gateway & Image Corridor plan by applying appropriate development standards to the property. Currently, the Agriculture (AG) zoning designation does not provide development standards appropriate for the type of development that the Mixed Density Neighborhood designation encourages.

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 subject property was developed prior to entering the City limits in 2005. At the time of

**ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA**

annexation the zoning designation of Agriculture (AG) was applied as a transitional measure prior to actual interest in development of the property.

Operating as a legal non-conforming use in the Agriculture (AG) district creates conflicts between the existing facilities, designed for a certain type of user, and the applicable list of permitted uses and development standards. Designed as spaces for retail stores or personal service operators the current zoning district prevents a logical turnover of tenants. At the time when a tenant vacates a lease space a new tenant must be chosen based on the list of permitted uses for the Agriculture (AG) district or based off the terms of UDC Chapter 14 which would require the new use to be less intense than the previous.

Additionally, any future expansion or development of the site would be required to comply with the standards of the zoning designation at the time. If the zoning designation remained Agriculture (AG) the applicable development standards would not result in a product that reflected a safe or orderly development of the City given the urbanization of the surrounding area. The standards of the AG district are meant for large rural residential development, agricultural and farming uses, not for retail shops and offices.

The proposed rezoning would allow the subject property to operate the manner for which it was developed. Additionally, it would guarantee that future development would be subject to appropriate design and development standards.

**4. The zoning change is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood.**

**Complies**

This area of the Williams Drive corridor, from Serenda Drive to DB Woods Road, is scattered with commercial developments of a similar scale to the subject property. Many of these developments take the form of strip centers, standalone office buildings, or restaurants. Some multi-family and senior living developments complement these sites planned as Local Commercial (C-1) or General Commercial (C-3) properties.

The proposed zoning would be consistent with the zoning of the relevant parts of the Williams Drive corridor. Additionally, the development standards of the proposed Local Commercial (C-1) zoning district would produce a development similar in size, scale, and use to that of other sites along the corridor. The Local Commercial (C-1) district also limits the size and intensity of some specific uses or groups of uses, like auto-oriented uses, that may be inappropriate at a mid-block location or adjacent to the Godwin Ranch Preserve.

**5. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment.**

**Complies**



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### ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA

As the subject property is partially developed no significant natural features are expected to restrict development on the site. The existing trees should not pose a barrier to redevelopment or expansion, and no caves have been identified on the property.

In general, the requested zone change from Agriculture (AG) to Local Commercial (C-1) on the subject is supportive of the 2030 goals, the public welfare, and the existing character of the community. The site is currently used in a manner consistent with the C-1 district and is not necessarily suitable for other types of development.

### Meetings Schedule

September 7, 2021 – Planning and Zoning Commission

September 14, 2021 – City Council First Reading of the Ordinance

September 28, 2021 – City Council Second Reading of the Ordinance

### Public Notification

As required by the Unified Development Code, all property owners and registered neighborhood associations within a 300-foot radius of the subject property were notified of the Zoning Map Amendment request (12 notices), a legal notice advertising the public hearing was placed in the Sun Newspaper (August 22, 2021) and signs were posted on-site. To date, staff has received zero (0) written comments in favor, and zero (0) 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