

FILE NO.: LU2021-11-02

Name: Land Use Plan Amendment – I-430 Planning District

Location: Between I-430 and Shackleford Pass, just north of W. 36th Street

Request: Mixed Use (MX) to Commercial (C)

Source: Joe White & Associates, Inc., 25 Rahling Circle

PROPOSAL / REQUEST:

Applicant requests a Land Use Plan amendment from Mixed Use (MX) to Commercial (C). The site is an approximate 19 acre unplatted parcel located between I-430 and Shackleford Pass (old Shackleford Road), just north of W. 36th Street in the I-430 Planning District. The existing Mixed Use land use designation provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three.

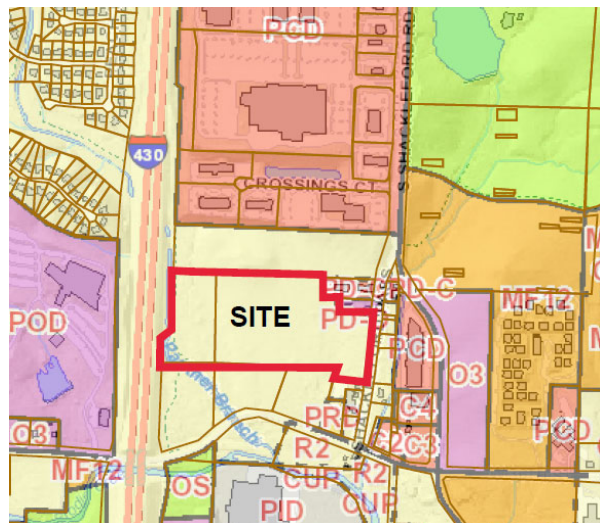
The proposed Commercial land use designation allows for a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve.

This land use amendment application is accompanied by a zoning map amendment request. It is applicant's intent to rezone the site to an Open Display Commercial (C-4) zoning designation (File No. Z-9594).

EXISTING LAND USE AND ZONING:

The 19-acre subject site, composed of two unplatted parcels, is zoned Residential Single-Family (R-2). Lands to the south of the site are generally zoned R-2. A part of a parcel south of the site (with frontage on W. 36th Street) has an expired Planned Residential Development (PRD) zoning designation. The site has not developed. There is a non-conforming auto related business to the south. It uses adjacent parcels for the storage. In addition to the auto business, there are two single-family houses south of the application site.

Figure 1. Zoning



Immediately north of the site along Shackleford Pass are two smaller parcels, one has a Planned Development – Office (PD-O) designation, the other a PD-C (Planned Development – Commercial). There is a large (13 acre) undeveloped tract that extends from Shackleford Pass to I-430. The PD-C site has been developed with a commercial operation (solar and tinting services). The PD-O site was developed with a single-family home that serves as an office use. Beyond these lands to the north are Commercial uses (including several motels, and a Wal-Mart superstore and a commercial shopping center) within a large Planned Commercial Development (PCD).

East of the site is a row of undeveloped R-2 zoned parcels fronting Shackleford Pass. Interstate-430 is situated immediately west of the site. The western most part of the subject site, adjacent to the Interstate-430 is shown to be within the floodway of Panther Branch Creek.

FUTURE LAND USE PLAN AND RECENT AMENDMENTS:

The subject site, along with the land north, south, west and east of the subject site are designated Mixed (MX). The majority of lands (approximately 98%) within this development node, bound by I-430, West 36th Street, and Shackleford Road is designated Mixed (MX).

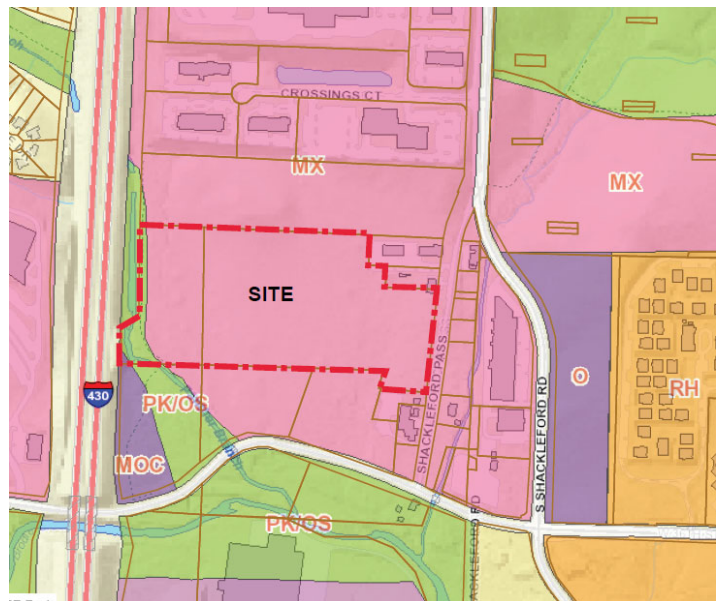
The MX land use designation provides for a mixture of residential, office and commercial uses to occur. A Planned Zoning District is required if the use is entirely office or commercial or if the use is a mixture of the three.

A small part of undeveloped land between Panther Branch Creek and I-430, north of 36th Street is shown as Mixed Office Commercial (MOC). With some of the floodway/floodplain in this area designated as Park and Open Space (PK/OS). The PK/OS designation follows the floodway, extending on to the subject site.

The northern half of this area had been developed with typical Interstate commercial land uses, large box stores, quick service standalone restaurants, and motels. The southern half of the node, where Shackleford Pass diverges from the re-aligned Shackleford Road has seen little development.

The applicant is proposing to amend the Future Land Use map at the subject site with a Commercial land use designation. The existing MX land use designation

Figure 2. Zoning



does not preclude commercial zoning land uses, but Commercial uses at the site would require approval of a Planned Zoning District – Commercial.

MASTER STREET PLAN:

To the west of the site is Interstate-430, shown as a Freeway in in the Master Street Plan. Freeways are generally part of the Interstate Freeway Network, and their design standards are established by the federal government. Because Freeways are intended to serve through long distance trips, they are always designed as full access control roads (no direct access). The spacing of Freeways is variable since they relate to regional transportation needs.

Figure 3. Master Streets Plan



Shackleford Road is shown as a Minor Arterial – however the site is not located on Shackleford Road, but instead Shackleford Pass which as an undivided two-lane road with no shoulder (Local Street). Local Streets with Commercial uses are required to be designed and developed to Collector standards. Additional right-of-way and improvement will likely be required to facilitate Commercial development.

Figure 2. Site Photo (west elevation and Old Shackleford Road)



BICYCLE PLAN:

There is no existing or proposed bike infrastructure in the vicinity of the project area.

PARKS:

There are no city recognized parks in the immediate vicinity, it should be noted that the Camp Aldersgate campus is located northeast of the site across Shackelford Road.

HISTORIC DISTRICTS:

There are no city recognized historic districts that would be affected by this amendment.

ANALYSIS:

Given the subject site is located adjacent to an Interstate and near two interchanges, it is not surprising land use in the area is a mix of older established land uses and high intensity interstate development such as big box stores and free-standing eating establishments. Considering the success of the planned commercial development north of the site on lands designated MX, where a Wal-Mart superstore and motels dominate the landscape, it seems logical development would continue south to the vacant lands.

Across the interstate to the west, near the 36th Street underpass is another large swath of MX designated lands. A portion of these lands was used for the development of a large religious institution. Most of the other MX designated lands have been used for development of large multi-family unit projects. A Commercial land use at the site of this application could help meet the needs of these citizens, along with those within the detached single-family developments that butts against the Interstate commercial areas.

If this application is approved, land use planned for by the City will not be a major change. Some Commercial uses at this site were anticipated. However, the Mixed (MX) land use designation would require the applicant to submit a Planned Zoning Development for entitlements for solely commercial uses. The Mixed Use (MX) land use designation requires the applicant to submit a Planned Zoning Development for a solely commercial development. If this application is approved, the change could be viewed as slight since commercial uses on this site were anticipated. But since the application is solely commercial and without a Planned Zoning Development an amendment is necessary. A re-classification to Open Display Commercial (C-4) makes residential development of the adjacent MX areas less likely.

Staff feels that with a C-4 use on this land and the other existing developments to the west and north, a review of all the MX and surrounding areas is needed. It is important that the Land Use Plan provide the best possible image for the future development of the area. The continued designation of much of the MX in the area surrounding the application could be misleading as to the type of development on the land.

The FEMA Flood Maps illustrate the western most part of the property, adjacent to the Interstate right-of-way, is within the floodway of Panther Branch Creek. Staff is recommending lands designated as PK/OS on the subject site not be changed on the Future Land Use Map. This PK/OS area is co-incident with the floodway on Panther Branch Creek.

NEIGHBORHOOD COMMENTS:

Notices were sent to the following neighborhood associations: John Barrow and Sandpiper. Staff has received no comments from area residents or from Neighborhood Associations.

STAFF RECOMMENDATIONS:

Staff recommends approval of the applicant's request to amend the land use designation at the subject site from MX to C, with a PK/OS designation remaining where the floodway is present. In addition, upon approval of the zoning request by the Board of Directors, a review of the Land Use Plan should be conducted in the general area of the application.

PLANNING COMMISSION ACTION:

(JULY 8, 2021)

The item was placed on consent agenda for approval. By a vote of 8 for, 0 against, 2 absent and 1 open position the consent agenda was approved.