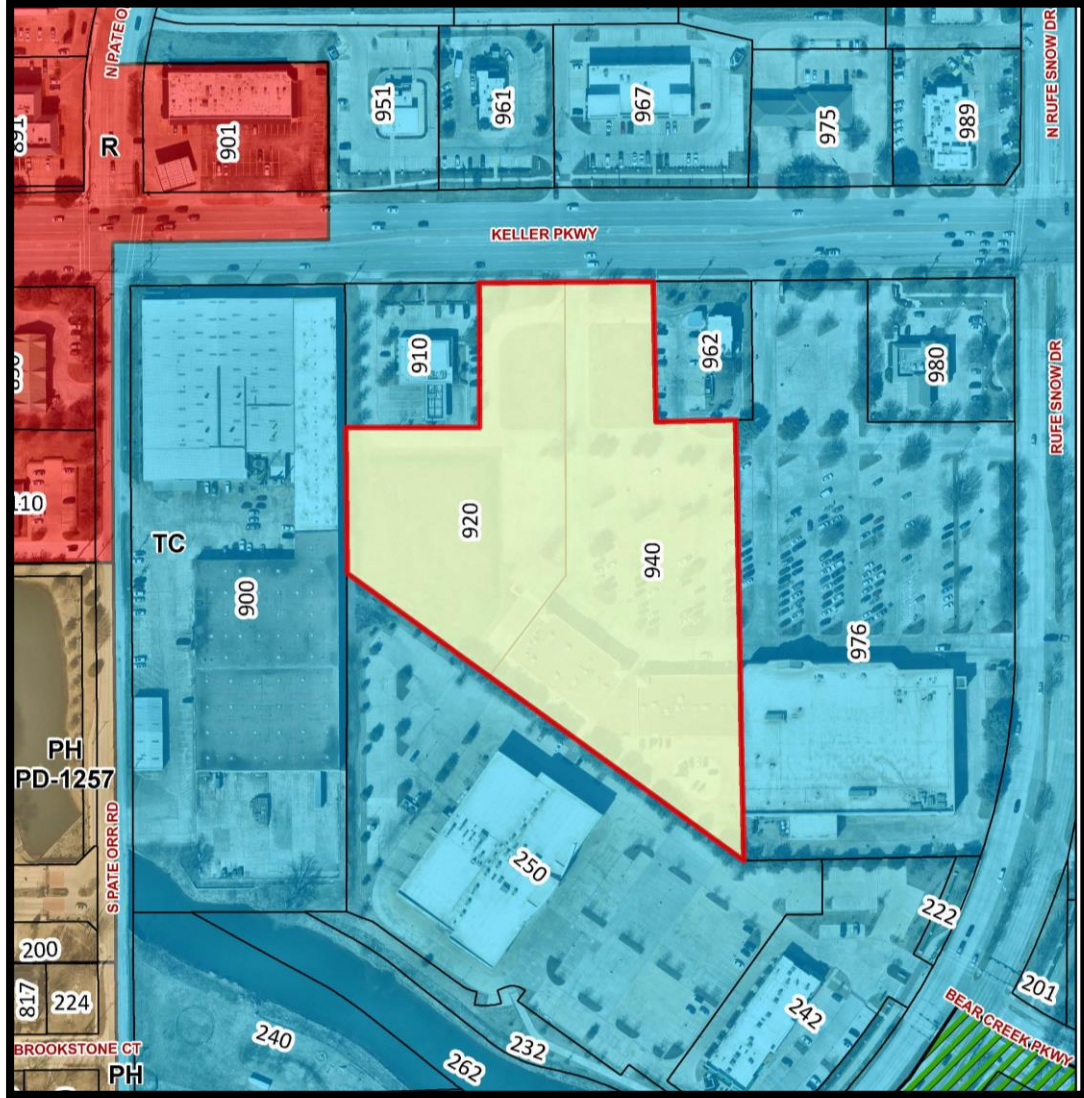


Item H-6

PUBLIC HEARING: Consider a resolution approving a Future Land Use Plan (FLUP) Amendment proposing to change from Mixed-Use (MU) to Retail/Commercial (RTC), located on approximately 6.2-acres, legally described as Lots 4 and 5R, Block 1 in the Town Center East Addition, located near the southwest corner of Rufe Snow Drive and Keller Parkway intersection and addressed as 920 and 940 Keller Parkway (FM 1709). Jim Makens, Grapevine/Wall JV, Applicant/Owner. (LUP-21-0004)

Zoning Map



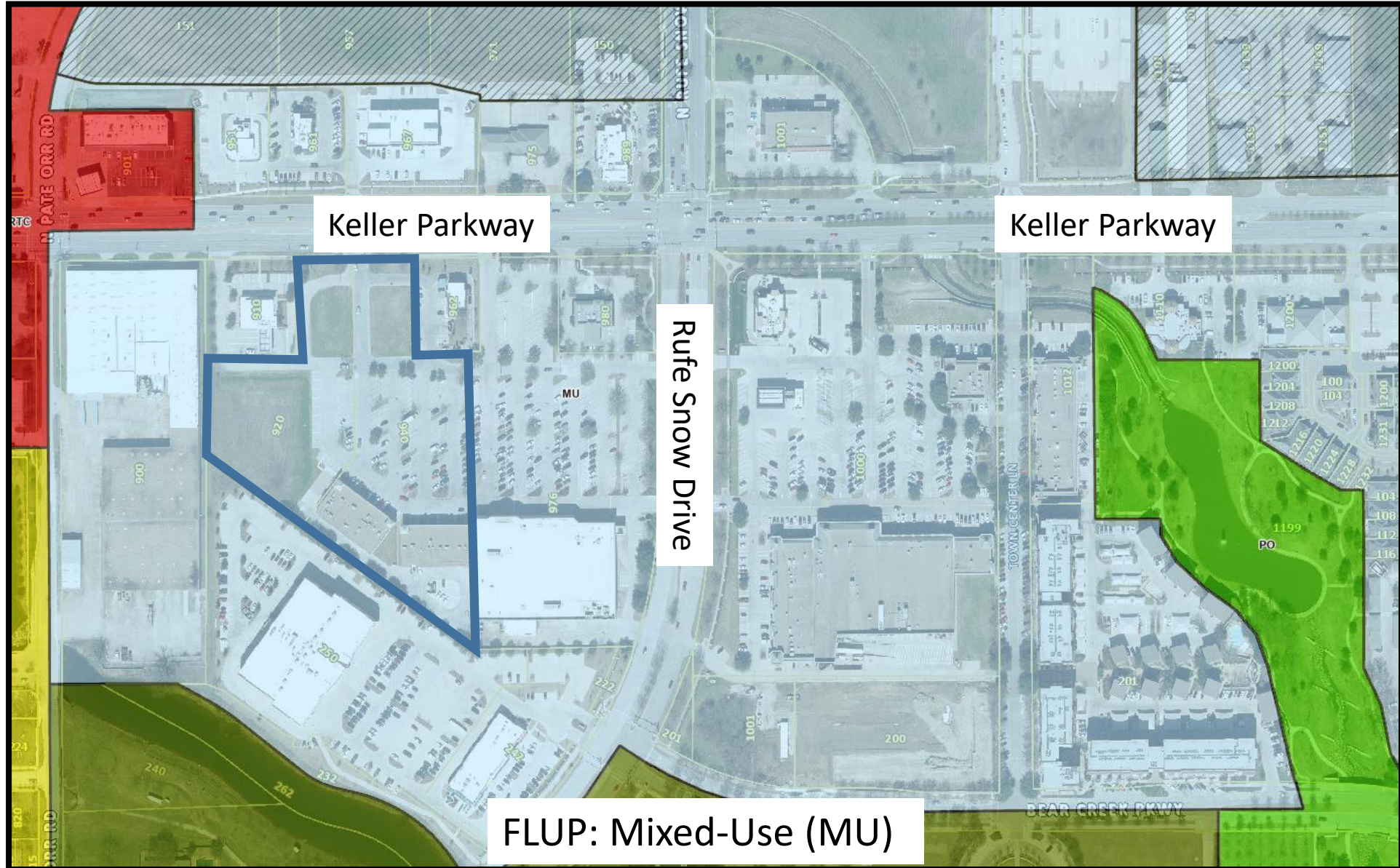
Item H-6

Zoned:
Town
Center

Aerial View

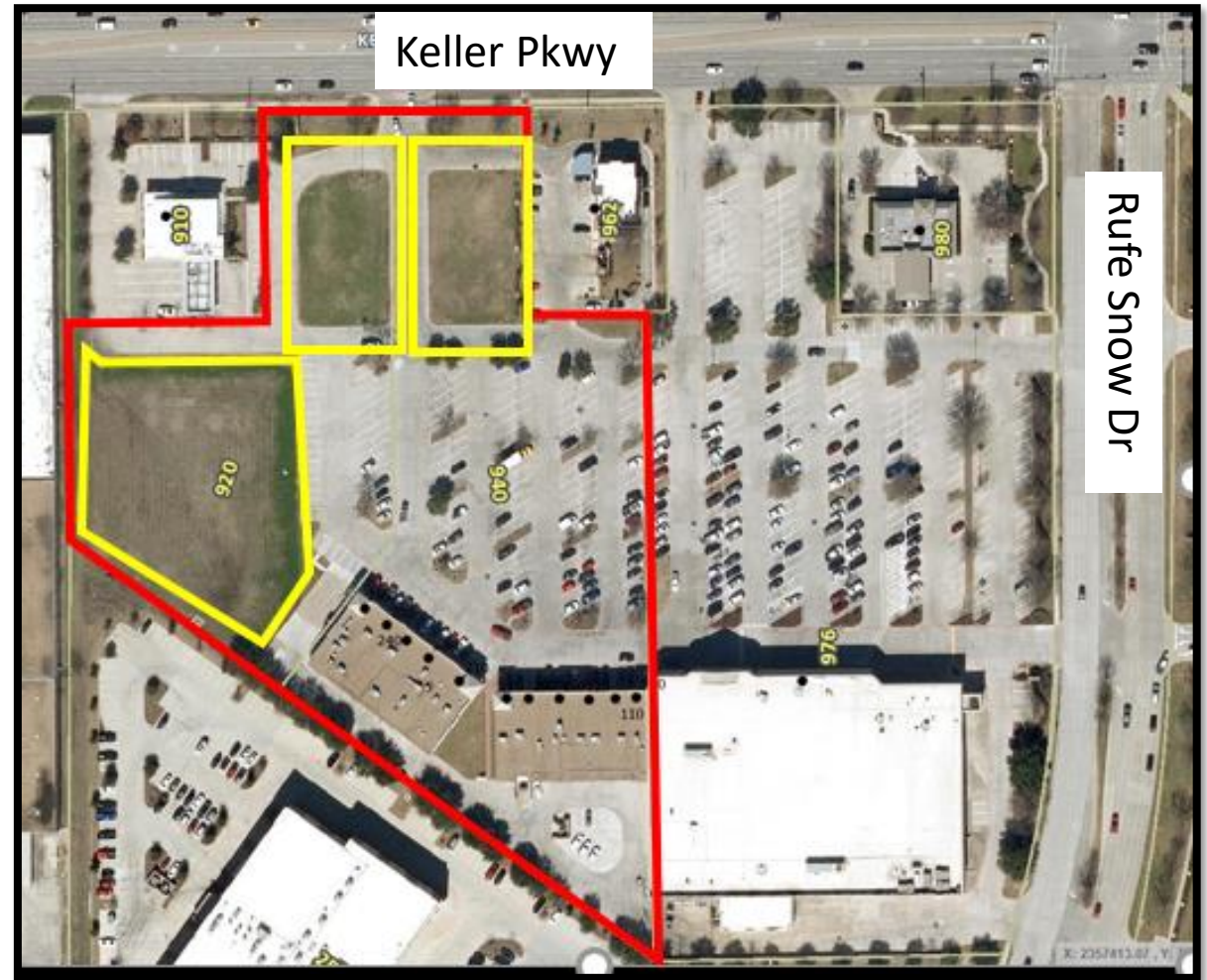


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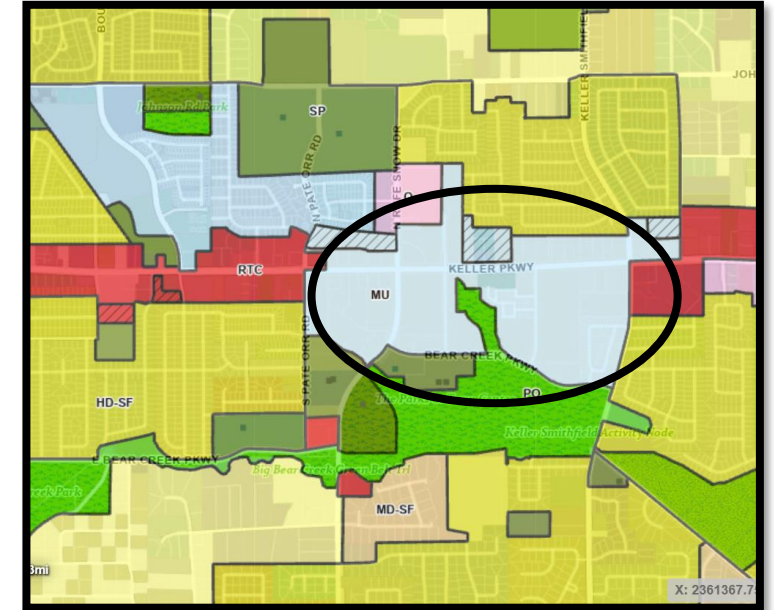
- The properties in the Town Center East Addition were first platted in 1997.
- The Site Plan for the center was approved by Council in 1997. The Applicant constructed and owns the two retail buildings adjacent to the Kroger grocery store. He also owns the three vacant parcels in the center.



Item H-6

- Both the 1998 FLUP and the recently adopted 2021 FLUP identify the property as mixed-use; the property is located in the Town Center zoning district.
- The Applicant believes the Mixed-Use land use category (and Town Center zoning district) make it difficult to lease the space, because there are fewer uses permitted in the Town Center than in the straight Retail zoning district. Specifically, he would like to lease space for medical uses.

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Surrounding Current Uses and Future Land Use Designations:

North: Multi-tenant building, Raising Canes, and American Nation Bank designated as Mixed-Use

South: Moviehouse and Eatery designated as Mixed-Use

East: Kroger designated as Mixed-Use

West: Foam Fabricators designated as Mixed-Use

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As part of that process, this property retained its mixed-use FLUP land use classification to coincide with the rest of Town Center. If this request (and the related rezoning request) are granted, the Town Center zoning district will have a “hole” in the middle of the TC district that would allow uses not otherwise permitted. It would further isolate “east” Town Center from “west” Town Center.

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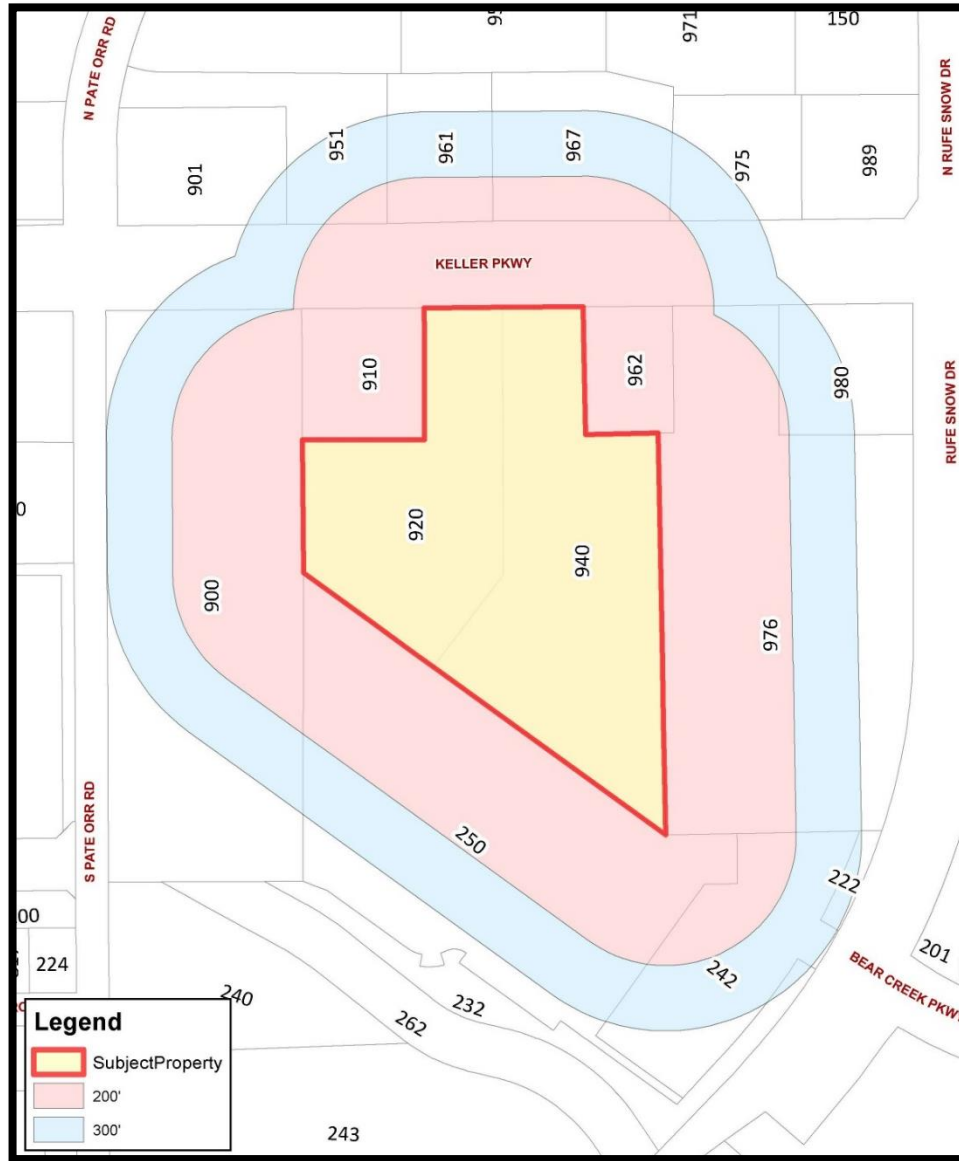
- The Mixed-Use land use category provides unique opportunities to develop a community destination with a mix of retail/commercial, office, entertainment, open space, civic, institutional, and residential uses within pedestrian-oriented, vertical and horizontal mixed-use environment. The physical development patterns shall include connectivity within as well as to adjacent developments; and interconnected public spaces, parks, open space, and water features.
- Medical uses, though important services for residents, are not usually encouraged in retail experiential developments such as Town Center and Old Town. Typically, people visiting doctors are coming only for appointments and not to explore shops or parks as part of their visit. They bring vehicular traffic that can conflict with pedestrian-oriented components of mixed use districts. However, Keller does encourage medical uses on South Main Street (Baylor and Texas Rehabilitation hospitals and surrounding medical offices), in the medical overlay of Town Center, and in retail zoning districts.

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The Planning and Zoning Commission unanimously recommended City Council deny the request to amend the 2021 Future Land Use Plan (FLUP) at its meeting on July 27, 2021. The majority of the Commission noted the recently adopted 2021 FLUP and Town Center's much-discussed designation as Mixed-Use as reason to not support the application. Also noted was the concern with the abundance of medical uses in the general area. The Commission expressed a desire for the City to identify development opportunities (such as adding "pet grooming" as a permitted use in Town Center) and work with Mr. Makens and neighboring business for redevelopment options and opportunities.

The Applicant requested this item be placed on the September 7, 2021 City Council meeting agenda as he was unavailable for the August 17, 2021 City Council meeting.

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- On June 10, 2021, the City mailed out 14 Letters of Notification for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.
- As of today, staff has yet to receive any responses from the Public.

Item H-6

The City Council has the following options when considering an amendment to the Future Land Use Plan 2021 application:

- Approve as submitted.
- Approve a less intense land use category.
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.



Questions?

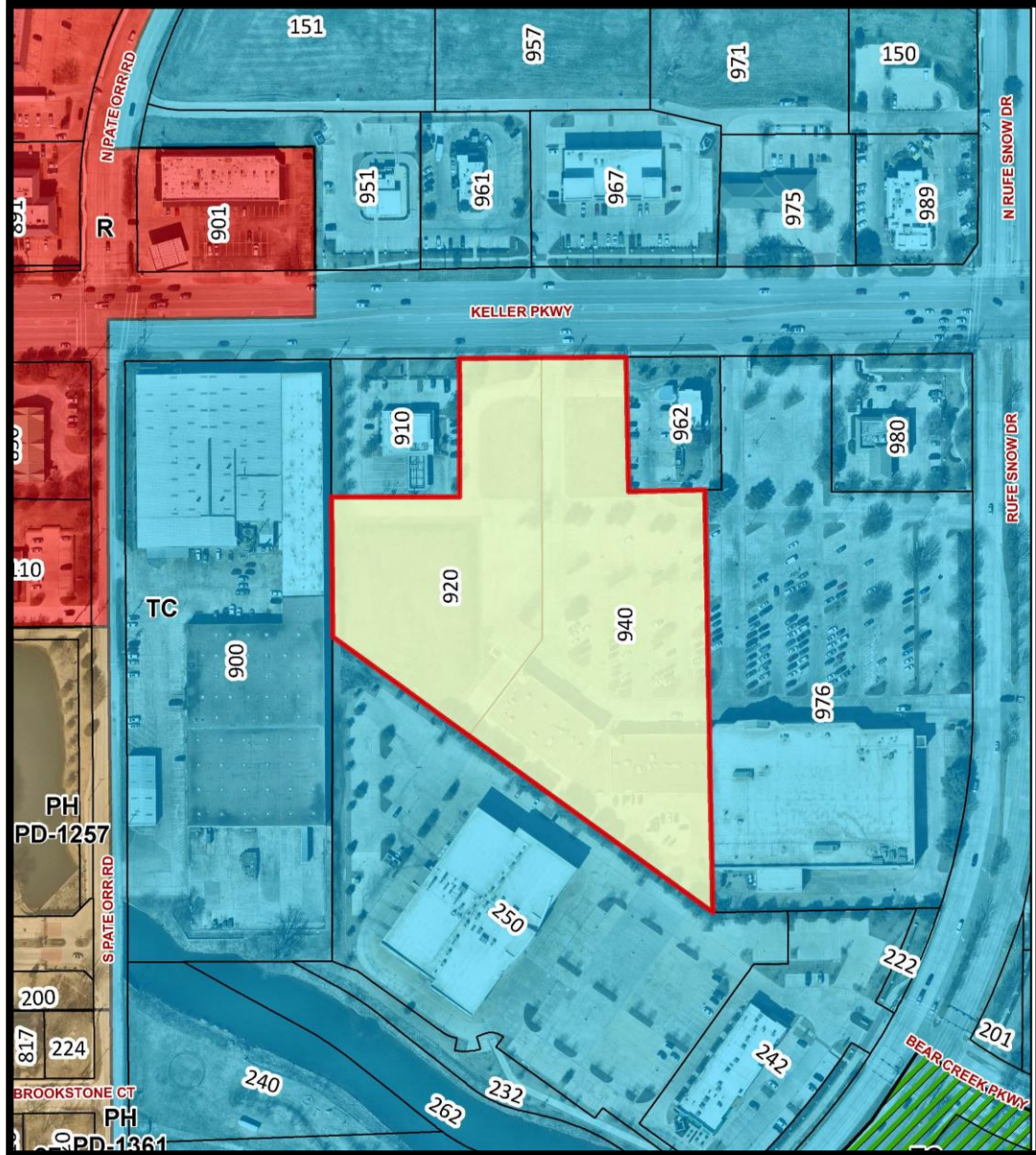
Julie Smith

817-743-4130

Item H-7

PUBLIC HEARING: Consider an ordinance approving a Zoning Change from Town Center (TC) to Retail (R) for two parcels approximately 6.2-acres, legally described as Lots 4 and 5R, Block 1 in the Town Center East Addition, located near the southwest corner of Rufe Snow Drive and Keller Parkway (FM 1709) intersection and addressed as 920 and 940 Keller Parkway (FM 1709). Jim Makens, Grapevine Wall J/V, Applicant/Owner. (Z-21-0004)

Zoning Map



Item H-7

Zoned:
Town
Center

Aerial View



Item H-7

Request:

The applicant requests a zoning change from Town Center (TC) zoning district to Retail (R) zoning district in order to lease space for medical uses.

Why Action is Required:

Per Section 4.03 of the Unified Development Code, a Planning and Zoning Commission recommendation and a final decision by City Council is required for a zoning change.

Current Zoning:

Town Center (TC)

Proposed Zoning:

Retail (R)

Item H-7

- Town Center zoning district:

The Town Center zoning district is intended to serve as a mixed-use community retail center with uses that are generally pedestrian-oriented and encourage pedestrian traffic. Mutually supportive office, civic, cultural, entertainment, and residential uses are planned to enhance the viability of this mixed use community retail center. Town Center is compact with grouped buildings around open spaces used for public events, trails and sidewalks, and connected, small-scale streets that serve vehicle, pedestrian, and bicycle traffic.

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- The properties in the Town Center East Addition were first platted in 1997.
- The Site Plan for the center was approved by Council in 1997 per Resolution 835. The Applicant constructed and owns the two retail buildings immediately adjacent to the Kroger grocery store to the west. He also owns the three vacant parcels in the center.
- In 2015, the City Council modified the Town Center zoning district use table to remove medical uses within Town Center. Council felt this did not meet the intent of the zoning district as a mixed-use community retail center with “mutually supported office, civic, cultural, entertainment and residential uses” to enhance the retail nature of the center.

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- In 2020, City Council approved seven lots within Town Center for a medical overlay district. The properties included 1135, 1139, 1141, 1149, 1151, 1200 and 1220 Keller Parkway and were pre-existing medical offices. At that time, Council made it clear that they did not want to expand the medical overlay district to any other properties in the Town Center zoning district.

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Proposed Uses:

The applicant proposes to add more medical uses within the strip centers.

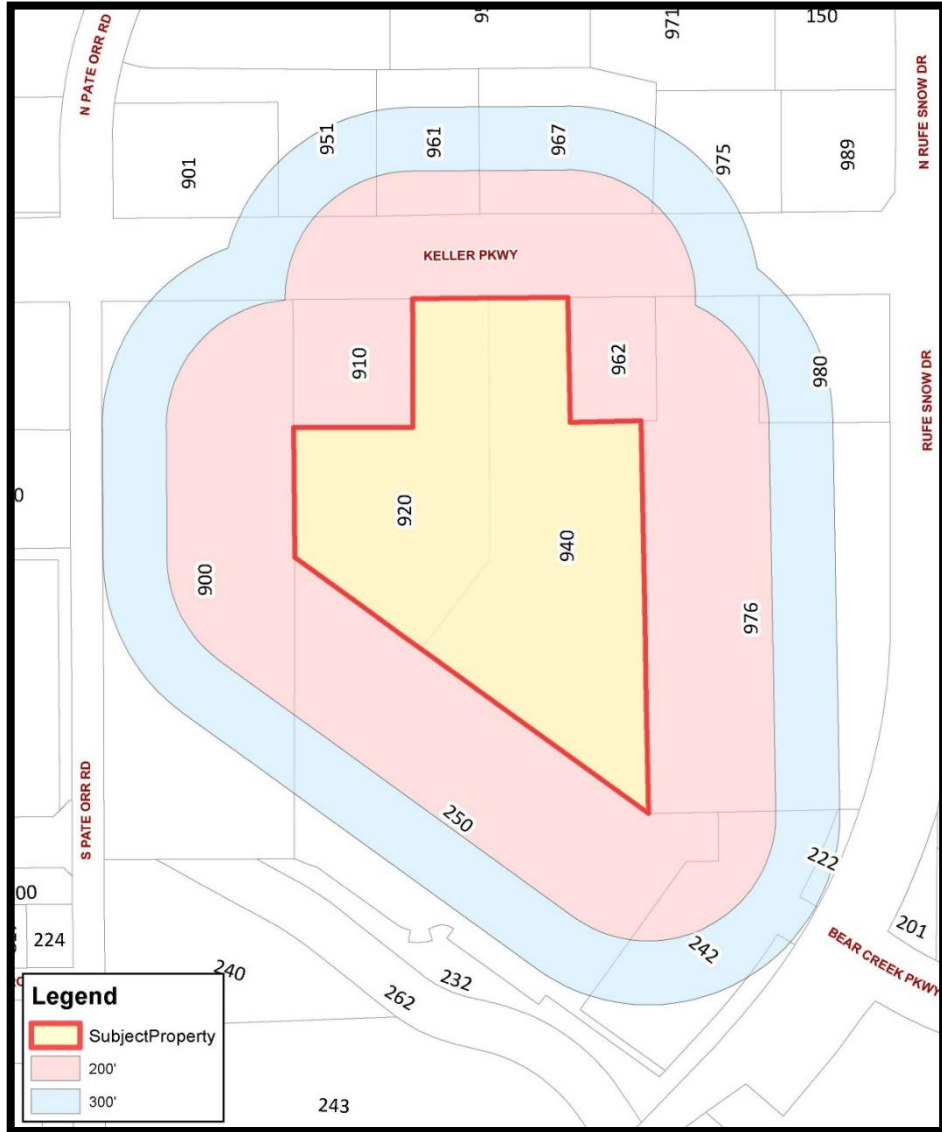
Analysis:

The applicant partially developed this site; however, there are three parcels that are vacant and could be developed in the future.

Item H-7

- The Planning and Zoning Commission recommended denial by a vote of 7-0 for this application on July 27, 2021. The Commission noted the amendment to the 2021 Future Land Use Plan failed and thus the zoning request for retail violated the 2021 FLUP.
- The Applicant requested this item be placed on the September 7, 2021 City Council meeting agenda as he was unavailable for the August 17, 2021 City Council meeting.

Item H-7



- On June 10, 2021, the City mailed out 14 Letters of Notification for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site
- As of today, staff has not received any responses from the public.

Item H-7

Section 8.02 (D)(1)(e) of the UDC states that when considering a zoning change request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole, and in compliance with the Future Land Use Plan.
- 2) Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
- 3) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
- 4) The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
- 5) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.
- 6) Any other factors which will substantially affect the health, safety, morals, or general welfare.

Item H-7

The City Council has the following options when considering a zoning change application:

- Approve as submitted.
- Approve a less intense zoning district.
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.



Questions?

Julie Smith

817-743-4130