ZONING MAP CHANGE
STAFF REPORT

City Council Meeting Date:     Council District 6
June 25, 2019

Zoning Commission Recommendation: Approval by a vote of 8-0

Owner / Applicant: Lukarh Investments, LLC

Site Location: 9605 Old Granbury Road (located at the southeast corner of Brewer at Risinger Road) Mapsco: 102UV

Proposed Use: Commercial

Request: From: “G” Intensive Commercial
To: “E” Neighborhood Commercial

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Staff Recommendation: Approval

Background:
The property is located south of Risinger Road, east of Brewer and west of Chisholm Trail Parkway. The applicant is proposing a zoning change to “E” Neighborhood Commercial.

The property is located between Chisholm Trail Parkway and Brewer St., a proposed neighborhood connector. While the site is visible from the Chisholm Trail Parkway, access is only from Brewer and Risinger streets; the property is not accessible from the parkway nor is there an exit off the parkway to Risinger Rd. that would otherwise make this an ideal commercial corner.

Site Information:
Owner: Lukarh Investments, LLC
1303 Loop 306
San Angelo, TX 76904
Agent: Dunaway & Assoc./Barry Hudson
Acreage: 2.49 acres
Comprehensive Plan Sector: Far Southwest

Surrounding Zoning and Land Uses:
North “G” Intensive Commercial / undeveloped
East “G” Intensive Commercial / Chisholm Trail, undeveloped
South “G” Intensive Commercial / gas well site, undeveloped
West “A-5” One-Family / single-family

**Recent Relevant Zoning and Platting History:**
- **Zoning History:** ZC-19-037 PD/G plus mini-warehouse to be heard by City Council May 7, 2019, adjacent property
- **Platting History:** PP-04-054 Primrose Crossing approved by City Plan Commission 06/23/04, subject area

**Transportation/Access**

<table>
<thead>
<tr>
<th>Street/Thoroughfare</th>
<th>Existing</th>
<th>Proposed</th>
<th>In Capital Improvements Plan (CIP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chisholm Trail Pkwy</td>
<td>Tollway/Freeway</td>
<td>Tollway/Freeway</td>
<td>Built</td>
</tr>
<tr>
<td>Brewer Blvd</td>
<td>Commercial Connector</td>
<td>Commercial Connector</td>
<td>No</td>
</tr>
<tr>
<td>Risinger Rd</td>
<td>Neighborhood Connector</td>
<td>Neighborhood Connector</td>
<td>Built</td>
</tr>
</tbody>
</table>

**Public Notification:**
300 foot Legal Notifications were mailed on April 19, 2019.
The following organizations were notified: (emailed April 15, 2019)

<table>
<thead>
<tr>
<th>Organizations Notified</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>District 6 Alliance</td>
<td>Crowley ISD</td>
</tr>
<tr>
<td>Streams and Valleys Inc.</td>
<td>Trinity Habitat for Humanity</td>
</tr>
</tbody>
</table>

*Closest Registered Neighborhood Association

**Development Impact Analysis:**

1. **Land Use Compatibility**
The applicant is proposing a zoning change to “E” Neighborhood Commercial. Surrounding land uses consist of undeveloped to the north and south with a gas well, single-family to the west and Chisholm Trail Parkway to the east.

Based on surrounding land uses and close proximity to Chisholm Trail, the proposed zoning request is compatible at this location.

2. **Comprehensive Plan Consistency**
The 2019 Comprehensive Plan designates the subject property as General Commercial. While the site is visible from the Chisholm Trail Parkway, with access off Brewer and Risinger making this an ideal commercial corner.

The proposed zoning is consistent with the following Comprehensive Plan policies:

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods.
- Encourage new development type and intensity appropriate to existing or planned street infrastructure by coordinating future land use map changes with the Master Thoroughfare Plan and an adopted Complete Streets policy.

**Attachments:**
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the Zoning Commission meeting
Area Zoning Map

Applicant: Lukarh Investments LLC
Address: 9605 Old Granbury Rd (SEC of Brewer & Risinger)
Zoning From: G
Zoning To: E
Acres: 2.49829295
Mapsco: 102U
Sector/District: Far Southwest
Commission Date: 5/8/2019
Contact: 817-392-2495

A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 5, 2019.
Michael Bilmore, spoke in opposition. He lives adjacent to the southern boundary. He thinks the residential development will overwhelm school districts. The homes adjacent to the site only have wrought iron fences. He thinks there should be discussions with the HOA and developer. He also requested a continuance.

During the rebuttal Mr. Sylo stated that he met with CM Jordan last year and because of the positive feedback they did not reach out to the HOAs. He stated there is significant floodplain separating the development with the existing single family. He believed there is time between now and council to have conversations and can continue the case at council if needed.

Motion: Following brief discussion, Ms. Runnels recommended a 30-day continuance of the request, seconded by Mr. Aughinbaugh. The motion passed unanimously 9-0.

<table>
<thead>
<tr>
<th>Document received for written correspondence</th>
<th>ZC-19-074</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>Jerry Sylo</td>
<td>2121 Midway Rd #300 Carrolton, TX</td>
</tr>
<tr>
<td>Larry Keils</td>
<td>6036 Lacebark Elm Dr</td>
</tr>
<tr>
<td>Michael Bilmore</td>
<td>8328 Blue Periwinkle Ln</td>
</tr>
<tr>
<td>Brian T Farda</td>
<td>8316 Blue Periwinkle Ln</td>
</tr>
</tbody>
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18. ZC-19-075 Tom Wittrock (CD 5) – 2905 Miller Ave (Eastwood Lot 1A Block 1, 0.25 ac.)
From: “A-5” One–Family To: “ER” Neighborhood Commercial Restricted

Tom Wittrock, applicant, stated he is requesting a rezoning for an office for his rental properties. He has enough parking on-site and does not think it will negatively impact the area.

Motion: Following brief discussion, Mr. McDonnell recommended Approval of the request, seconded by Ms. Conlin. The motion passed unanimously 9-0.

<table>
<thead>
<tr>
<th>Document received for written correspondence</th>
<th>ZC-19-075</th>
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<tbody>
<tr>
<td>Name</td>
<td>Address</td>
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<tr>
<td>Tom Wittrock</td>
<td>2607 Suzanne</td>
</tr>
</tbody>
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Barry Hudson, representing the applicant, stated they are requesting a 30-day continuance.

Motion: Following brief discussion, Ms. Runnels recommended a 30-day continuance of the request, seconded by Ms. Trevino. The motion passed unanimously 9-0.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>In/Out 300 ft. notification area</th>
<th>Position on case</th>
<th>Summary</th>
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<tbody>
<tr>
<td>Barry Hudson</td>
<td>3012 Gunnison Tr</td>
<td></td>
<td>Support</td>
<td>Representing the applicant</td>
</tr>
<tr>
<td>Tony Chandler</td>
<td>8533 Meadow Sweet Ln</td>
<td></td>
<td>Support</td>
<td>Sent notice</td>
</tr>
</tbody>
</table>

Meeting adjourned: 2:50 p.m.
5/8/19

Dana Burghdoff, Executive Secretary and Assistant Director, Planning and Development Department

Will Northern, Chair