



## Legislation Details (With Text)

**File #:** 2018-5967  
**Type:** Ordinance  
**Status:** Approved  
**File created:** 9/20/2018  
**In control:** City Council  
**On agenda:** 10/11/2018  
**Final action:** 10/11/2018  
**Title:** Consider public testimony regarding, and an ordinance rezoning 9.55-acres located at the southeast corner of Schultz Ln. and SH 45 from the PUD (Planned Unit Development) No. 22 zoning district to the TH (Townhouse) zoning district. (First Reading)\*

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A, 3. Aerial photo, 4. Vicinity map with zoning

Date	Ver.	Action By	Action	Result
10/11/2018	1	City Council	approve	Pass
10/11/2018	1	City Council	dispense with the second reading and adopt	Pass

Consider public testimony regarding, and an ordinance rezoning 9.55-acres located at the southeast corner of Schultz Ln. and SH 45 from the PUD (Planned Unit Development) No. 22 zoning district to the TH (Townhouse) zoning district. (First Reading)\*

PUD (Planned Unit Development) No. 22 was originally approved for primarily business park and commercial uses in 1995. The largest part of the property is located north of SH 45 and the PUD was amended to provide for single family, commercial and business park uses on this tract in 2014. The remainder of the PUD property, which is located south of SH 45, is the subject of this rezoning.

The general plan designation is determined by PUD No. 22, which contains a mixture of residential, commercial and business park uses. For this 9.55-acre tract, PUD No. 22 currently allows either C-1 (General Commercial) or business park uses, but not both. The business park designation allows for primary uses of: office, office/warehouse, research and development, technical schools and light manufacturing and assembly, conducted wholly within a building. Secondary uses allowed are: a caretaker's residence, the sale of goods produced or assembled on site, daycare and other employee services. Prohibited uses are: automotive and machinery repair, automotive and machinery painting, wrecking yard, sexually oriented businesses, transmission and communication towers, trucking depots, bulk distribution centers and mini-warehouses.

The property owner, Jack Wheeler, has requested to change the zoning on the 9.55 acres to the TH (Townhouse) district, removing it from PUD No. 22. Development would then be subject to the regulations of the TH district, which allows for townhouses, up to a maximum of 12 units per acre. TH requires masonry exterior finish, with masonry defined as stone, simulated stone, brick, stucco, or horizontally installed cement-based siding. Horizontally installed cement-based siding or stucco cannot comprise more than 50 percent of the exterior finish. Buildings must include details to provide visual relief, including features such as window types, arched entryways, balconies, accent

walls, decorative tile, and variation of roof lines.

The site is bounded by the eastbound SH 45 frontage road on the north, Schultz Lane on the west and Meister Lane on the south. The former MOKAN railroad right-of-way, now owned by the State of Texas, borders the site on the east.

The Planning and Zoning Commission held a public hearing on September 5, 2018 and there was one speaker, Jon Harmon, from IDI Logistics, owner of the property across Meister Lane from the site. He expressed concerns about the proposed townhouses being compatible with the surrounding light industrial uses. The Commission voted 6-0 to recommend approval of the rezoning.