

Zoning Request

ZC-21-22

1250 Wonder World Drive



Summary

Request:	Zoning change from General Commercial to Character District-5		
Applicant:	Daniel Campbell Long View Equity, LLC 750 N Saint Paul St, Ste 250 PMB 78471 Dallas, TX, 75201	Property Owner:	Mitchell Roberts, Texas Cinema Corp. 500 W 2 nd . St, Suite 1900 Austin, TX 78701

Notification

Application:	10/6/21	Neighborhood Meeting:	N/A
Published:	10/24/21	# of Participants	N/A
Posted:	10/22/2021	Personal:	10/22/2021
Response:	None as of the date of this report		

Property Description

Legal Description:	Lot 3A, Block 1, McKinley Place, Section 2		
Location:	Intersection of Wonder World Drive and Leah Avenue		
Acreage:	12.75 acres	PDD/DA/Other:	N/A
Existing Zoning:	General Commercial	Proposed Zoning:	Character District - 5
Existing Use:	Movie Theater	Proposed Use:	Multifamily with Commercial
Existing Occupancy:	Restrictions Do Not Apply	Occupancy:	Restrictions Do Not Apply
Preferred Scenario:	Medium Intensity Zone	Proposed Designation:	Same
CONA Neighborhood:	Cottonwood Creek	Sector:	5
Utility Capacity:	Available	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	MF-24/GC	Multifamily/Retail	Medium Intensity Zone
South of Property:	MF-24/ GC	Multifamily/ Retail	Medium Intensity Zone
East of Property:	MF-24/OP	Multifamily/ Office	Medium Intensity Zone
West of Property:	GC	Retail	Medium Intensity Zone

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Staff Recommendation

<u>X</u>	Approval as Submitted	Alternate Approval	Denial
Staff: Julia Cleary Title : Planner Date: 12/4/2021			

Commission Recommendation

<u>X</u>	Approval as Submitted	Approval with Conditions / Alternate	Denial
<p>Speakers in favor or opposed</p> <ul style="list-style-type: none"> Daniel Campbell (applicant) – in favor Daniel Fricks (applicant) – in favor <p>Recommendation from the Planning and Zoning Commission Meeting held November 9, 2021</p> <p>A motion was made by Commissioner Sambrano, seconded by Commissioner Moore to recommend approval of the request.</p> <p>The motion passed with a 7-1 vote.</p> <p>For: Commissioner Rand; Commissioner Moore; Commissioner Sambrano; Commissioner Garber; Commissioner Spell; Commissioner Costilla; Commissioner Meeks</p> <p>Against: Commissioner Agnew</p> <p>Absent: Commissioner Kelsey</p> <p>Discussion Topics:</p> <p><i>Crime</i> – Commissioner Agnew voiced concerns that clusters of multifamily apartments could increase crime. Commissioner Rand suggested that there were other ways of addressing crime that did not involve building less housing. Commissioner Sambrano said that he lived in an apartment in that area and had never experienced any crime, and that housing insecurity is a contributing factor to crime, which is in part caused by the City refusing zoning requests for needed additional housing, which drives up the cost of homes. Commissioner Moore said more diverse housing types were needed near each other.</p> <p><i>Traffic and Infrastructure</i> – Commissioner Costilla noted that Wonder World Drive was already congested, particularly at the intersection of Leah and Wonder World. Commissioners Agnew and Rand also expressed concerns about traffic. Commissioner Sambrano said he liked that the draft plans showed additional roadway connections. Commissioner Spell indicated this was an appropriate place for this density of development, but that going forward the City also needed to make a plan to insure that sufficient infrastructure and amenities were in place to support the residential growth in that area, such as bus services and grocery stores. Commissioner Moore said that cars were not the only method of transportation, and that transit needed to have a sufficient density of homes/ development around it to be viable. Chair Garber noted that although this might generate traffic, the site is located in an Intensity zone/ node in the Comprehensive Plan and so it was an area where the City wanted development to go. Commissioner Rand said that there was a lack of green space in the area and would like to see a dog park in the development.</p> <p><i>Floodplain/ Land Use Suitability Map</i> – Commissioner Spell enquired about the cause of the dark area on the Land Use suitability map and whether or not there was floodway on the property. Staff clarified that there was no floodway/ floodplain on the site and noted that the applicant would have to undertake an engineered drainage analysis during the site permitting stage.</p>			

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History

The site is the former “Starplex” movie theater, which closed in 2020. The applicant is proposing to develop the site primarily as multifamily with the potential for associated commercial uses. CD-5 is the sole non-legacy zoning district that allows for large multifamily developments.

Additional Analysis

The surrounding area is comprised of medical facilities, commercial uses including “big-box” stores Sam’s Club and Lowe’s, and larger multifamily development. The intensity of uses allowed in CD-5 (such as commercial, restaurants, retail, medical, and multifamily) are considered appropriate in this area. It should be noted that although the 5-story height limit in CD-5 is taller than the surrounding existing buildings (which are predominantly 3 stories), the existing GC zoning has no height restrictions.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area <i>Studies were not complete at the time of the request.</i>
		<u>X</u>	Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect
<u>X</u>			Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses shall be appropriate in the immediate area of the land to be reclassified <i>The surrounding area is predominantly retail and multifamily in addition to medical uses, all of which are permitted uses in CD-5.</i>
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district
	<u>X</u>		Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>The existing General Commercial Zoning allows for a variety of commercial uses, in addition to loft apartments, which are a conditional use.</i>
		<u>X</u>	Whether there is a need for the proposed use at the proposed location <i>The applicant intends to develop the site primarily as multifamily apartments. The City does not have an adopted Housing Needs Assessment and so there are no official housing targets, however the development may provide housing for the staff working at the surrounding retail establishments and medical facilities.</i>
<u>X</u>			Whether the City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, public safety, and emergency services, while maintaining sufficient levels of service to existing development
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <i>Although CD-5 allows for building heights up to 5 stories, it should be noted that the existing GC zoning allows unlimited height.</i>
		<u>N/A</u>	For requests to a Neighborhood Density District, whether the proposed amendment complies with the compatibility of uses and density in Section 4.1.2.5 <i>This is not a request for a Neighborhood Density District.</i>

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			The impact the proposed amendment has with regard to the natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management <i>This is an existing developed site. There are no significant known environmental constraints on the property. The site is located outside the 100 year floodplain.</i>
		<u>X</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare