

City of Baytown
North of Cedar Bayou Road and east and west of Fanestiel Road
Zoning Map Amendment
Staff Report

Requested Action: Zoning Map Amendment for approximately 4.5 acres from Neighborhood serving commercial (NSC) and Mixed residential at low to medium densities (SF2) to General commercial (GC).

Applicant: David R. Wooten

Subject Property: Approximately 4.5 acres generally located north of Cedar Bayou Road and east and west of Fanestiel Road, legally described as Tracts 39A, 43A, 43B, 43A-1, 43B-1, 44A-1, 44B-1, 44A, 44B, 47C & 47G in the JW Singleton Survey, Abstract No. 709, Harris County, Texas.

Parcel Information:

Current Use: General contractors (Landmark Interest), dentist office (Wooten DDS) and Undeveloped Land

Proposed Use: Commercial uses

Future Land Use Plan: Commercial Corridor and Low-medium density residential, SH 146 Corridor

Adjacent Parcel Information:

North: residential, zoned SF2

South: Undeveloped land and residential, zoned SF2, and commercial, zoned MU

East: Commercial, zoned SF2

West: Undeveloped land, zoned SF2

Staff Analysis (Background):

There are multiple property owners associated with the request: D R Wooten DDS, Sea Dental PLLC, Dewayne McCartney, and American Eagle Flight Properties, LP. The applicant and agent, David R. Wooten, is requesting to rezone the subject properties. The properties are within close proximity to the SH 146 Corridor. It is also in the Revitalization Incentive Zone (RIZ). The RIZ promotes economic development, encourages the rehabilitation of affordable housing and stimulate an increase in property values.

Figure 1. Site plan of proposed zone change.

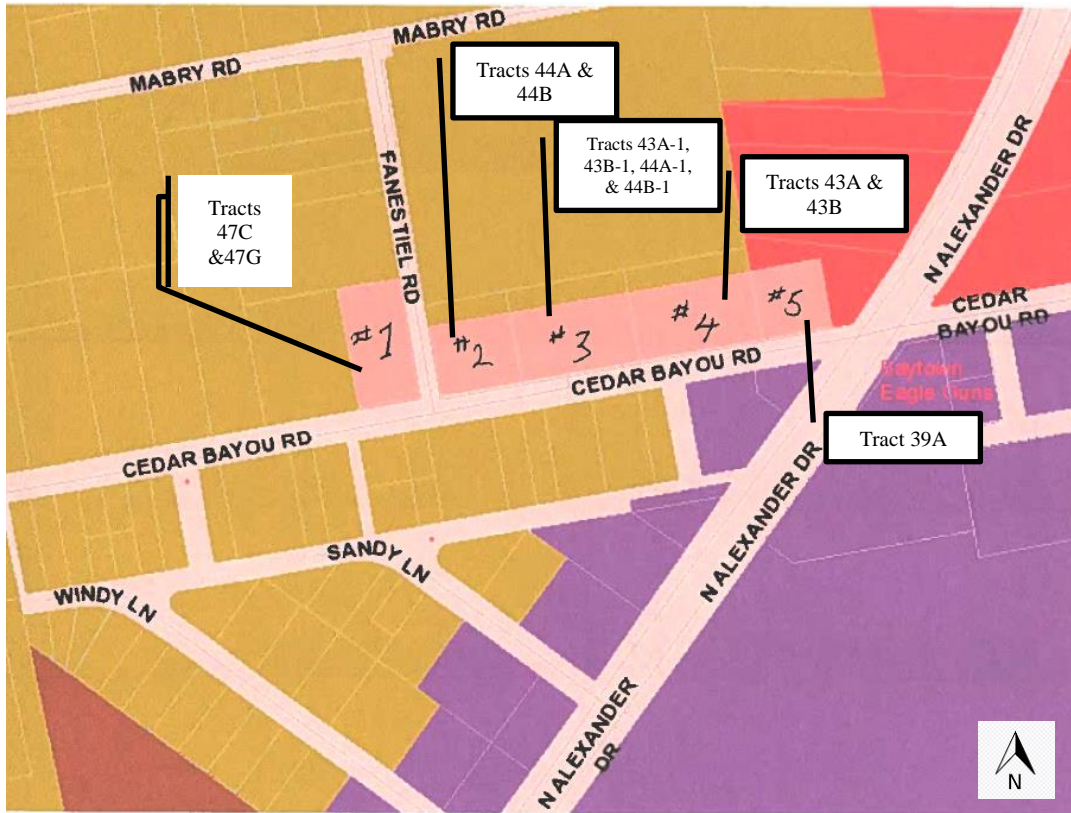
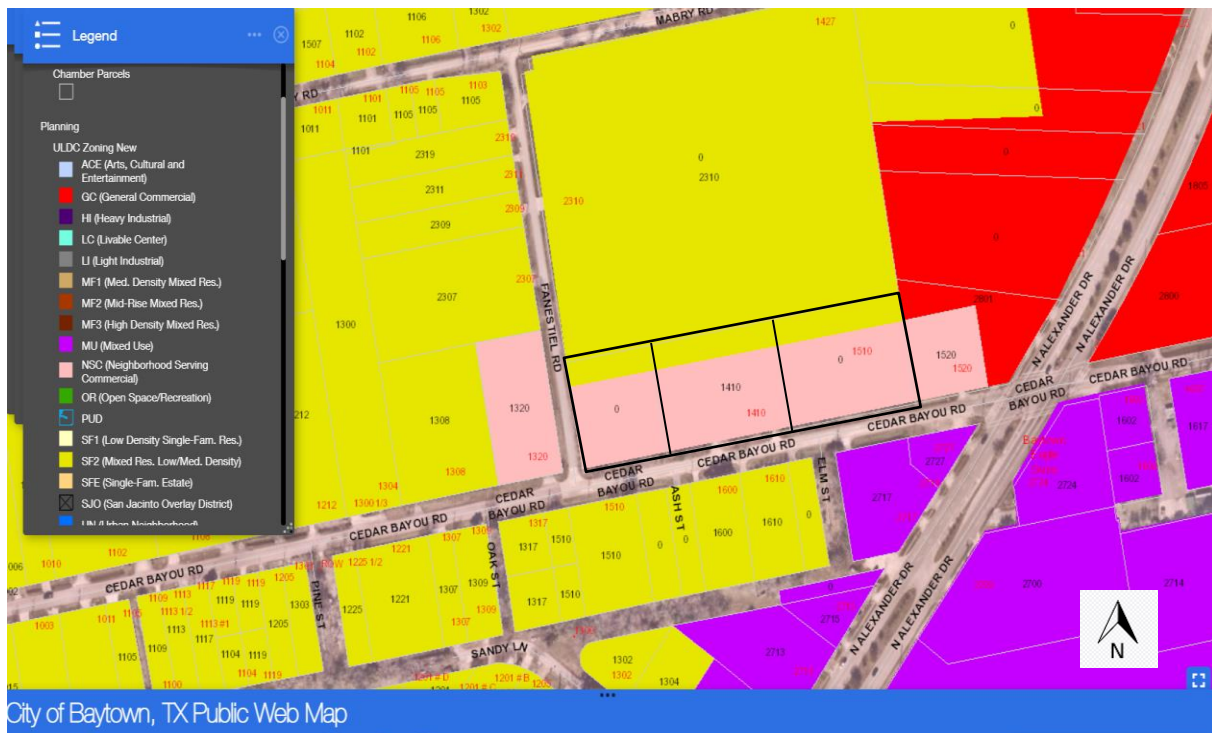


Figure 2. Current zoning map



Existing Land Use

This area of the City was annexed in 1954 and the existing land use throughout this area is a mixture of residential and commercial. The current land use along Bayou Road consists of residential and commercial uses (dentist office, cooling and heating business, daycare, hydraulics business, and retail).

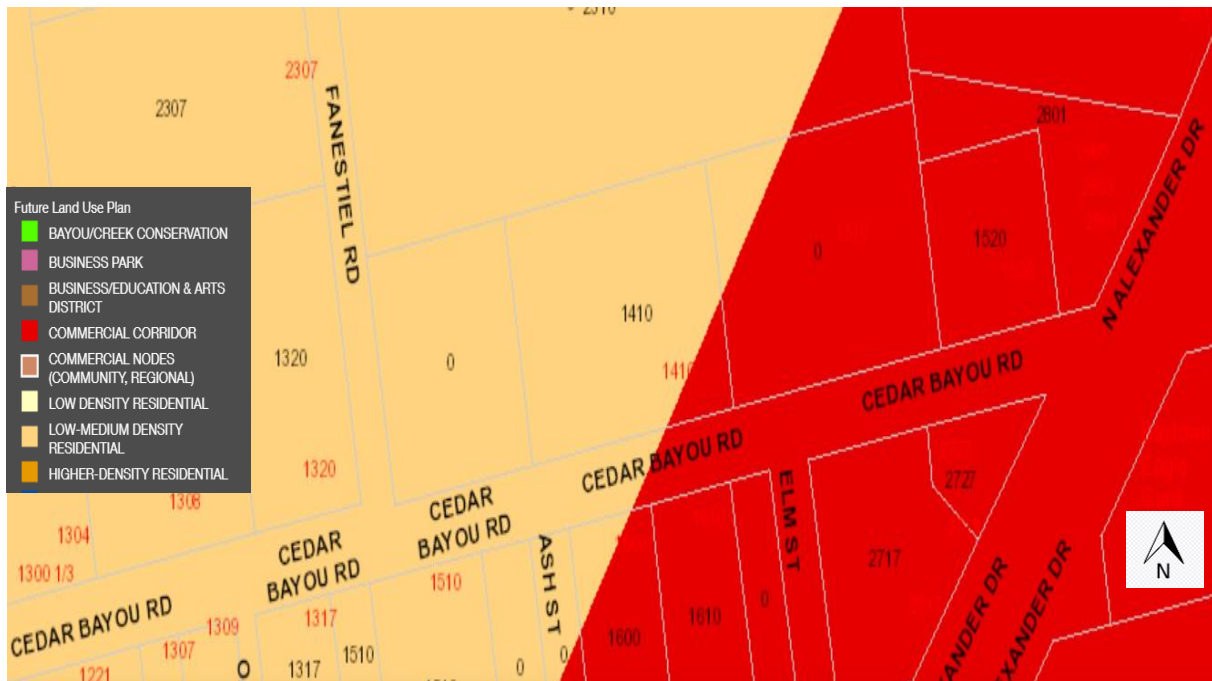
FLUP and FLUP Map

The proposed location of the zone change is divided by two (2) land use categories. The FLUP map recommends low-medium density residential and commercial corridor (see Figure 4). The Baytown 2025 Comprehensive Plan Future Land Use Plan (FLUP) encourages a transition in the SH 146 Corridor that “would provide an opportunity to mix a variety of land uses including commercial office and retail as well as medium to high-density residential.”

Figure 3. SH 146 Corridor.



Figure 4. FLUP Map of subject properties.

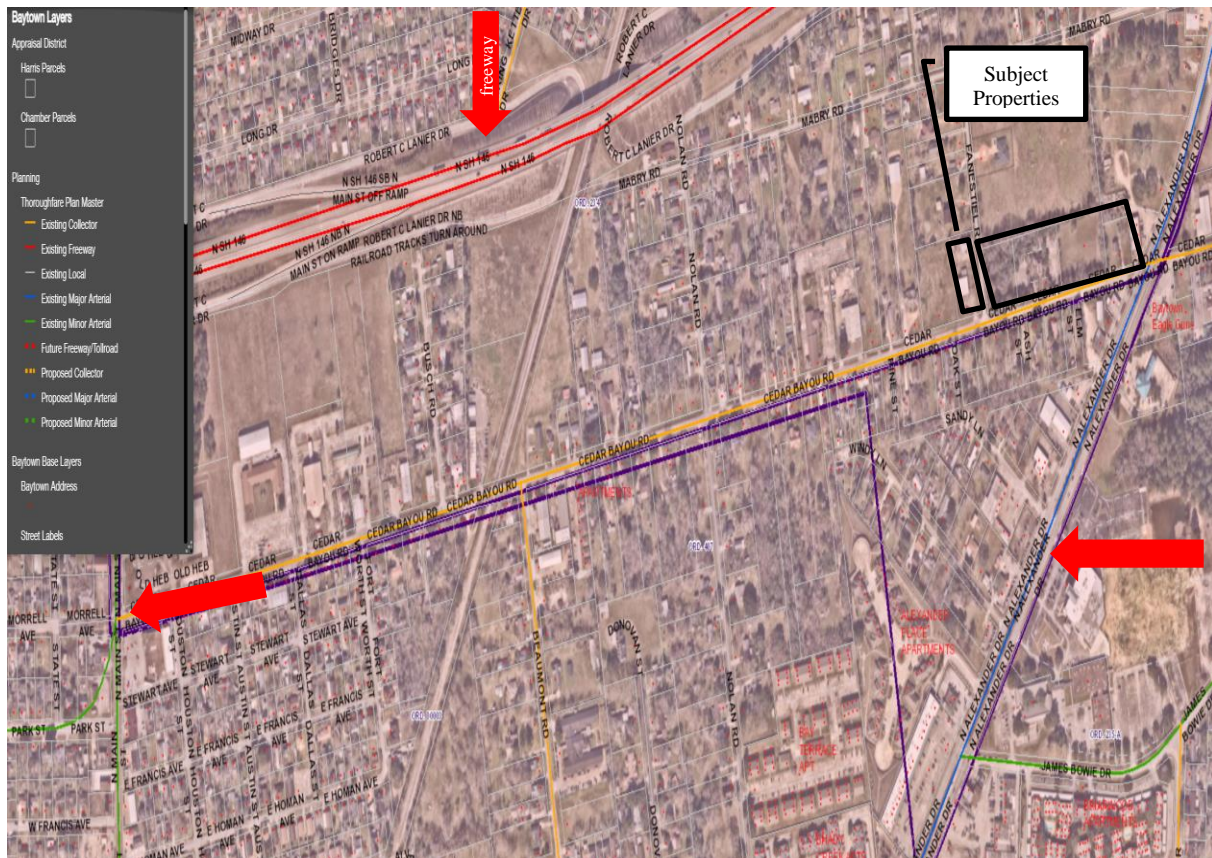


GC Zoning

The GC district is intended to be used as a transitional district between more intensive nonresidential districts (e.g., light industrial) and higher density residential districts or as the primary district to commercial corridors.

For commercial uses allowed in GC, it is recommended that the uses have direct and/or relatively close access to major and/or minor arterial streets. Cedar Bayou Road is a collector street. These streets funnel traffic from local streets in a neighborhood to a minor or major arterial street. North Alexander Drive, a major arterial, is relatively close to the proposed location of the zone change and Cedar Bayou Road, to the west of the subject properties, connects to North Main Street, a minor arterial street. North State Highway 146 is also within this vicinity, which would further promote and assist in the gradual transition between low-density residential uses and commercial uses along Cedar Bayou Road and near the SH 146 Corridor (see Figure 4).

Figure 5. Minor and arterial streets near subject properties



ULDC Section 1.26(c) Approval criteria for rezoning application. In order to recommend approval of an application for a zoning amendment, the Planning and Zoning Commission shall consider the following factors:

1. Consistency with guiding documents.

The request is generally consistent with the FLUP. The FLUP recommends residential and commercial (see Figure 3). The request is also consistent with Baytown’s Vision Statement and the Comprehensive Plan’s goals and actions: Growth Capacity, Land Use, and Economic Opportunity:

Baytown’s Vision Statement:

“To be a community that is prepared for and amenable to new development while recognizing the fundamental importance of its established neighborhoods, commercial corridors, and historic areas.”

The request supports the City’s Growth Capacity Policies:

“Encourage development in close proximity to existing infrastructure to reduce the short term expense of extensive infrastructure development, the long-term expense of maintenance, and the possibility that unexpected development patterns may require more or less capacity.”

“Consider the availability of adequate infrastructure when making decisions regarding new development.”

The request also supports the City’s Land Use Goals and Policies:

“Development patterns resulting in the efficient use of land, infrastructure and fiscal resources.”

“Work with interested developers to assemble small parcels in older areas into feasible development sites.”

“A community of diverse uses coexisting in a compatible manner with stable neighborhoods, viable commercial centers and a healthy industrial economy.”

Additionally, the request supports the City’s Economic Opportunity Goals and Actions:

“Continue working with landowners and developers to identify and highlight sites well-suited for retail and commercial development.”

2. Compatible with the Surrounding Area.

The proposed zoning, GC, is generally compatible with the existing uses in this area. The requested zone change will not be detrimental and/or a spot zone.

The properties are in close proximity to the SH 146 Corridor. The Comprehensive Plan identifies this area as an attractive area for development and transitioning “would provide an opportunity to mix a variety of land uses including commercial...” Because of the proximity to the SH Corridor the transitioning between residential and commercial is compatible with the surrounding area.

3. Promotion of health, safety, or general welfare.

There is development along Cedar Bayou Road. There should be no adverse impacts. If the request is approved, commercial uses compatible with this area that meet the Code’s development standards and land use conditions would be permitted by right. Any proposed development will be required to meet all current, adopted codes of the City of Baytown. The applicant is required to mitigate adverse impacts.

4. Facilitation of infrastructure.

This area has already been developed. There is a mixture of uses, residential and commercial, and the properties will have access to the City’s thoroughfare: North Alexander Drive (a major arterial), North Main Street (a minor arterial street – through Cedar Bayou Road), and North State Highway 146 is also in this vicinity. Any future development, redevelopment, and demolition will need to meet the City’s development standards and established requirements of the district.

5. There are changed conditions.

This area has been transitioning for years. If the request is approved, the zone change would further facilitate in the transitioning between residential and commercial near/within the SH 146 Corridor, which would allow for more development opportunities, compatible and consistent with this area and with the goals and policies of the Comprehensive Plan.

6. **Effect on natural environment.**

Any proposed development will be required to meet all current, adopted codes of the City of Baytown. The applicant is required to mitigate adverse impacts.

7. **Community need.**

The proposed zone change addresses the following community needs identified in the Comprehensive Plan: Growth, Land Use, and Economic Opportunity. In addition, the request would assist in improving/developing a desirable character for the SH 146 Corridor as recommended in the Comprehensive Plan.

Recommendation

Staff recommends **approval** of the proposed zone map amendment.