



Zoning Committee

REQUEST

Current Zoning: R-5 (single family residential) and B-1(CD) (neighborhood business, conditional).
Proposed Zoning: B-1(CD) (neighborhood business, conditional) and B-1(CD) SPA (neighborhood business, conditional, site plan amendment).

LOCATION

Approximately 2.045 acres located on the northeast corner at the intersection of Brookshire Boulevard and North Hoskins Road.

Council District 2 - Harlow

PETITIONER

QuikTrip Corporation

**ZONING COMMITTEE
ACTION
VOTE**

The Zoning Committee vote 5-2 to recommend DENIAL of this petition.

Motion/Second: McClung / Sullivan

Yeas: Fryday, McClung, Nelson, Spencer, and Sullivan

Nays: Majeed and McMillan

Absent: None

Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff provided a summary of the petition. The petitioner addressed the transportation notes in the agenda but there were still outstanding issues related to the land use. Staff noted that the portion of the subject property that includes the approved convenience store and gas sales is consistent with the *Thomasboro/Hoskins Area Plan* and *Northwest District Plan* as amended by rezoning petition 2016-084. However, the remaining portion of the property, currently zoned R-5 (single family residential) is inconsistent with the *Northwest District Plan*.

A commissioner stated that they went to site after the public hearing and observed the store and compared to other QuikTrips and they have the same facilities on larger lots and function well and can understand why the petitioner would want to expand the property to help the site function like others. However the proposal would take a house from the neighborhood to make a buffer zone and this would change the neighborhood in a negative way. Everything on Cloudman Street is residential past the QuikTrip and the mosque across the street. The homes on Cloudman are small and nice. The piece of property adjacent to the property proposed for buffer has recently been renovated. The commissioner took this to mean the community was vibrant and that while the QuikTrip would benefit from more concrete the neighborhood would suffer and the neighborhood should be

protected. Another commissioner noted that they agreed and pointed out that staff did not support the original petition.

A commissioner noted that the area being added would be a buffer and undisturbed. They also pointed out that there was no opposition from the neighborhood to the previous rezoning and the proposed rezoning. The commissioner stated that since the property would be a buffer they did not see the proposal as an impact to the neighborhood.

A commissioner asked how the petition is a concern. Staff noted that the proposal does encroach further into the neighborhood and staff did oppose the previous rezoning. If approved it would change the area plan and further encroachment into the single family neighborhood is not appropriate for purposes of gaining additional parking and maneuvering that is not required but requested by the petitioner to help their operation. They are also slightly reducing a portion of the buffer but staff feels the neighborhood should get as much buffer as possible.

A commissioner stated they were on the board when the previous rezoning came forward and recalled voting in favor at the time, but they were concerned about further encroachment and would not support the proposal.

A commissioner noted that they noticed there would be additional light pollution at night and they also spoke with a couple of Police officers at the QuikTrip who said it was difficult to keep the neighborhood crime free, so there should not be more encroachment.

There was no further discussion of this petition.

ZONING COMMITTEE STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-2 (motion by McClung Seconded by Sullivan) to adopt the following statement of consistency:

The proposed rezoning of a portion of the property that includes the approved convenience store and gas sales is consistent with the *Thomasboro/Hoskins Area Plan* and *Northwest District Plan* as amended by rezoning petition 2016-084. However, the remaining portion of the property, currently zoned R-5 (single family residential) is inconsistent with the *Northwest District Plan* based on the information from the staff analysis and the public hearing, and because:

- The plans recommend retail uses for the portion of the site zoned B-1(CD) (neighborhood business, conditional) by petition 2016-084; and
- The plan recommends single family residential at up to six dwelling unit per acre for the portion of the site zoned R-5 (single family residential).

Therefore this petition was found to not be reasonable and not in the public interest based on information from the staff analysis and the public hearing and because:

- The recent rezoning for the QuikTrip store was partially

consistent and partly inconsistent with the adopted area plan; and

- Staff did not recommend approval of rezoning for the QuikTrip because the rezoning expanded commercial use and zoning into the established neighborhood; and
- The subject rezoning expands the number of parking spaces to be provided on the site and widens the proposed drive behind the building to accommodate employees, visitors, and deliveries; and
- A portion of the proposed buffer to be provided along the rear of the site near North Hoskins Road is reduced from previously approved 33 feet to 30 feet; and
- A portion of the proposed tree save area to be provided along the rear of the site near North Hoskins Road is reduced from previously approved 40 feet to 33 feet and 30 feet; and
- Although the subject rezoning slightly modifies the parking and maneuvering area, the modifications are such that further encroachment of commercial zoning into the neighborhood is required to provide tree save and buffer areas.

Minority Opinion

The commissioner stated and the other concurred that they supported the petition because of the previous rezoning petition; and that the neighbors were in agreement with the proposal at that time; and there is no opposition to the current proposal; and the area that is proposed to be added will remain as a buffer.

Planner

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