



City Council Agenda Item Summary Report

Meeting Date: May 3, 2022			
Submitted by: P. Morgan			
Consent	Discussion Only	Public Hearing X	Action/Discussion
Item Title: Hold a public hearing and discuss and consider approval of an Ordinance to rezone 46.463 acres of property from a Planned Development with a base zoning district designated as Mixed Use District to a new Planned Development with a base zoning district designated as Mixed Use District. The property is located south of U.S. Highway 80 and west of W. Broad Street.			
Attachments: Exhibits Presentation			

Item Summary:

Exeter Property Group requests approval of a rezoning of approximately 46.463 acres of property located south of W. U.S. Highway 80 and west of the W. U.S. Highway 80 and W. Broad Street intersection. The purpose of the rezoning is to establish a mixed use planned development district.

Image 1: Location Map



Current Standards:

The property consists of 46.463 acres of land and is zoned within the Project Liberty (Blue Ladder) Planned Development. The property is currently vacant and undeveloped. Access to the property is provided by the U.S. Highway 80 service road. The property was previously rezoned at the August 18, 2020, City Council meeting. That rezoning request established a data center as its primary use.

Rezoning Request:

The PD establishes a base zoning district of Mixed Use and provides several regulations that are different from the standard Zoning Ordinance regulations:

1. General Farms (crops), Data Centers, Office Warehouses, and Distribution Centers are uses allowed by right.
2. General Farms (livestock) would require a conditional use permit.
3. The maximum building height is seventy-five feet and may be developed as shown on the concept plan.
4. There is no maximum lot depth (this would be set by the property boundary).
5. Off street loading spaces are amended so that loading docks may face streets and right of ways for warehouse, distribution center, or truck terminal uses without masonry screening or landscape buffers above and beyond buffers required
6. Parking requirements are set for data center and restaurant uses.
7. Landscape requirements are provided and generally comply with our Zoning Ordinance requirements.

The majority of zoning standards, including sign and lighting regulations, must comply with the Zoning Ordinance regulations for that specific use and/or the Mixed-Use district.

Image 2: Site Photograph



Accessibility:

The property provides direct access to U.S. Highway 80 frontage road.

Comprehensive Plan:

The Comprehensive Plan does not provide a future land use designation for the property.

Direction	Existing Use	Existing Zoning	Future Land Use
Subject Property	Vacant	MU	Undetermined
North	Highway	N/A	Highway
South	Vacant	AG	Undetermined
East	Retail/Office	MU	Undetermined
West	Vacant/Power Plant	MU	Undetermined

Image 3: Future Land Use Map Details



Zoning Ordinance Considerations:

The City of Forney Comprehensive Zoning Ordinance provides the following factors for the Planning and Zoning Commission and City Council to consider in making a zoning determination:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole;
2. Whether the proposed change is in accord with any existing or proposed plans for providing public school, streets, water supply, sanitary sewers, and other utilities to the area;
3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development;
4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change;
5. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved; and
6. Any other factors which will substantially affect the public health, safety, morals or general welfare.

Future Requirements:

If approved, future development of the property will require approval of:

1. Preliminary and Final Plats
2. Site Plans
3. Civil Plans (staff approved)
4. Building Plans (staff approved)

Recommendation:

On January 6, 2022, the Planning and Zoning Commission voted to recommend denial. The Commission stated concerns for traffic associated with the proposal. There is not a logical turnaround area for trucks to head west on U.S. Highway 80.

On March 3, 2022, the City Council voted 5 ayes to 2 nays (Chambers and Roberson) to table the request pending the preparation and review of a development agreement. A development agreement has been submitted for City Council consideration.