



CITY OF EVERMAN

212 North Race Street Everman, TX 76140

STAFF REPORT

AGENDA TITLE: Zoning Change Request - 100 & 108 N. Forest Hill Drive - AGHA Enterprises, proposed change from "A1" Single-Family Housing to "C1" Commercial

MEETING DATE: 09/06/2022

PREPARED BY: C. W. Spencer

RECOMMENDED ACTION:

Approval

BACKGROUND INFORMATION:

The applicant is requesting the zoning change to allow for the development of a small strip center that will potentially include a Liquor Store, a Proposed Restaurant, and 4 additional Leased Retail Shops. This development will also include a proposed addition and renovation of the existing Chevron Fuel Station and Convenience Store.

This application does align with the City of Everman Comprehensive Plan. The application does not align with the Future Land Use Plan, however, it is highly compatible due to the immediately adjacent and already existing Commercial Property. Because of these reasons, this application is being recommended for approval.

On August 15, 2022, the City of Everman Zoning Commission held a Public Hearing on this request. Following testimony from the applicant and opposition, the Zoning Commission voted to recommend approval for this change.

During this hearing, there was testimony given in opposition to the zoning change, specifically due to the proposed Liquor Store. The opposition expressed concern about the proposed liquor store, citing the proximity to a school and stating that having a liquor store would increase crime rates and decrease property values. Staff would like to address these three statements in this report:

1) Texas State Law prohibits the sale of alcohol within 300 feet of any school, church, or daycare. The City of Everman recognized the importance of such laws and adopted more stringent requirements through City Ordinance 678 which was adopted in 2014. This ordinance prohibits the sale of alcohol within 1,000 feet of certain schools. Furthermore, Everman voters approved the sale of liquor through an election, which became effective June 8, 1981. This proposed project complies with these requirements.

2) There is no existing information or data available to suggest or support that the presence of a Liquor Store in the City of Everman would contribute to a rise in crime. Currently, the City of Everman already has one Liquor Store currently open on Everman Parkway, near a normally crime-ridden area. The Everman Police Department has seen no adverse impact due to the presence of a liquor store. As a

matter of fact, the overall crime rate within the City of Everman is drastically lower in comparison to before the current liquor store existed. Therefore, the presence of a liquor store does not have a negative or positive impact on the crime rate. Quality police practices and community relationships directly contribute to lower crime rates. It should also be noted that alcohol products are already sold on this proposed property as well as the property across the street (located even closer to a school). Alcohol Sales Tax contributes significant dollars to the City of Everman Crime Control District Fund which is specifically allocated for law enforcement. The presence of alcohol sales actually provides financial means to further reduce crime.

3) Additionally, there is no data or information available to suggest that the presence of a liquor store would adversely affect nearby property values. The information, data, and common development practices indicate the opposite effect. Quality development, coupled with planned infrastructure improvements, in this area will significantly increase property values.

FISCAL IMPACT:

The current residential zoned portion of this property is vacant and undeveloped. Property Tax revenue of this location is minimal. The development of this property for commercial purposes will allow for increased sales tax revenue for the City of Everman in addition to the obvious increase in property tax revenue from any development. Furthermore, if the proposed Liquor Store is developed, the City of Everman will see an increase in Crime Control District Funds from Alcohol Sales.