

STAFF REPORT

Case No.: 0714-05
 HTE No. 14-10000019

Planning Commission Hearing Date: July 16, 2014

Applicant & Legal Description	<p>Applicant/Owner: Gabriele Stauder-Hilpold Legal Description/Location: Being 6.28 acre tract of land out of a portion of Lot 1, Block 27B and all of Lots 3, 4 and 5, Block 41, Padre Island – Corpus Christi Island Fairway Estates, located at the southwest corner of South Padre Island Drive (PR 22) and Compass Street</p>			
Zoning Request	<p>From: “RM-AT” Multifamily AT District To: “CR-2/IO” Resort Commercial District with Island Overlay Area: 6.28 acres Purpose of Request: To allow for the development of a mixed commercial use.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	“RM-AT” Multifamily AT	Vacant/ Med Density Residential	High Density Residential
	<i>North</i>	“RM-AT” Multifamily AT	Med Density Residential	High Density Residential
	<i>South</i>	“RM-AT” Multifamily AT	Med Density Residential	High Density Residential
	<i>East</i>	“CR-2/IO” Resort Commercial with an Island Overlay	Vacant	High Density Residential
	<i>West</i>	“CR-2” Resort Commercial	Vacant	High Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Mustang Padre Island Area Development Plan (ADP) and is planned for High Density Residential uses. The proposed change of zoning to the “CR-2” Resort Commercial District is not consistent with the adopted Future Land Use Plan. Map No.: 029026 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has access to South Padre Island Drive (PR 22), which is an “A2” Arterial street and is a TXDOT right of way. Any proposed access drives off SPID will require compliance with TXDOT Traffic Access Management. The subject property also has access off Compass Street, which is a local street. Replatting of the southern portion of the property will require a deceleration lane and right-turn lane at the intersection of the proposed Azores Drift Drive with South Padre Island Drive (PR 22).</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Padre Island Drive (PR 22)	Freeway	400' ROW Pavement width varies w/median	200' ROW 120' paved w/median	(2012) E 1104 W 1261
	Compass Street	Local	60' ROW	60' ROW	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “RM-AT” Multifamily AT District to the “CR-2/IO” Resort Commercial District with an Island Overlay District.

Development Plan: The 6.28-acre tract would be used to allow construction of a mixed commercial venture. A development site plan has not been designed, but the owner has strong interest in developing the property with a hotel and mixed development containing commercial and residential uses. A southern portion of the property is currently under plat review, which includes a 3.55 acre lot. Together with the remainder of the property that fronts Compass Street, the venture will include retail or a mixed-use development consisting of commercial buildings and incorporating residential uses above. The development will require buffer requirements as per the UDC from the adjacent property to the west. There are no existing one-family or two-family uses adjacent to the developments, therefore the structures do not have to abide to additional setbacks.

Existing Land Uses & Zoning: The majority of the subject property is vacant and zoned “RM-AT” Multifamily AT District. The subject property does have a three-story apartment building on Lot 3. North of the subject property is a three-story apartment building in the “RM-AT” Multifamily AT District. There are two vacant lots northeast of the property in the “CR-2/IO” Resort Commercial District with an Island Overlay District. South of the subject property and across the proposed Azores Drift Drive are two-story townhomes in the “RM-AT” Multifamily AT District. West of the subject property is the Schlitterbahn Water Park that was rezoned to the “CR-2” Resort Commercial District. To the east of the subject property and across Park Road 22 is vacant land in the “CR-2/IO” Resort Commercial with an Island Overlay District.

AICUZ: The subject property is **not** located in a Navy Air Installation Compatibility Use Zones (AICUZ).

Plat Status: The three lots that front Compass Street are currently platted. The south 3.55 acres have been included in a re-plat submitted for approval and will require all infrastructure and public improvements in accordance with the Comprehensive Plan and other master plans.

Comprehensive Plan & Area Development Plan (ADP) Consistency: The subject property is in the Mustang-Padre Island Area Development Plan (ADP). The proposed rezoning is not consistent with the adopted Future Land Use Plan, which slates the property for high density residential uses. The ADP does encourage commercial ventures that support tourist oriented business and development. A policy statement of the ADP expresses the City’s desire to mix residential and non-residential uses.

Department Comments:

- Although the hotel does not meet the future plan of high density residential uses, the hotel will support and sustain the need of the nearby Schlitterbahn Water Park.
- The proposed rezoning for the hotel and the residential above commercial uses is compatible with the current zoning and development patterns and to the character of the surrounding area.
- The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed developments.
- The proposed rezoning would not negatively impact the surrounding properties.
- The property is within a “No Vinyl Area” of the Island Overlay.

Planning Commission and Staff Recommendation (July 16, 2014):

Approval of the change of zoning from the “RM-AT” Multifamily AT District to the “CR-2/IO” Resort Commercial District with Island Overlay.

Public Notification	Number of Notices Mailed – 45 within 200-foot notification area; 2 outside notification area
	<u>As of July 31, 2014:</u>
	In Favor – 0 inside notification area; 0 outside notification area
	In Opposition – 0 inside notification area; 0 outside notification area
	For 0.0% in opposition.

Attachments: Location Map (Existing Zoning & Notice Area)

SUBJECT PROPERTY

CR-2

3

RM-AT

CR-2
IO

0 400 800 Feet

Date Created: 7/1/2014
Prepared By: Jeremy M
Department of Development Services

**CASE: 0714-05
ZONING & NOTICE AREA**

RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF Two-Family
CR-1 Resort Commercial	RS-15 Single-Family 15
CR-2 Resort Commercial	RE Residential Estate
CG-1 General Commercial	RS-TH Townhouse
CG-2 General Commercial	SP Special Permit
CI Intensive Commercial	RV Recreational Vehicle Park
CBD Downtown Commercial	RMH Manufactured Home
CR-3 Resort Commercial	
FR Farm Rural	
H Historic Overlay	
BP Business Park	

Subject Property with 200' buffer

Owners in favor

Owners within 200' listed on attached ownership table

Owners in opposition

