



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of January 28, 2014
Second Reading Ordinance for the City Council Meeting of February 11, 2014

DATE: December 19, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Rezoning from Two-Family to Multifamily on Tract A;
From Two-Family and Multifamily to Office on Tract B; and
From Multifamily to Commercial on Tract C
By D&E Development Corporation
Property Address: 6801 Saratoga Boulevard (SH 357)**

CAPTION:

Case No. 1213-04 D&E Development Corporation: A change of zoning from the "RS-TF" Two-Family District to the "RM-1" Multifamily 1 District on Tract A; from the "RS-TF" Two-Family District and the "RM-3" Multifamily 3 District to the "ON" Office District on Tract B; and from the "RM-3" Multifamily 3 District to the "CG-2" General Commercial District on Tract C, resulting in a change to the Future Land Use Plan from commercial to medium-density residential uses on Tract A; from commercial to professional office uses on Tract B; and no change to the Future Land Use Plan on Tract C. The property to be rezoned is described as being a 9.79-acre tract of land out of Lots 5 and 6, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Saratoga Boulevard (SH 357), approximately 1,300 feet east of Airline Road.

PURPOSE:

The purpose of this item is to rezone the property to allow construction of multifamily, office and commercial uses.

RECOMMENDATION:

Planning Commission and Staff Recommendation (December 18, 2013):

Approval of the rezoning:

- From the “RS-TF” Two-Family District to the “RM-1” Multifamily 1 District on Tract A;
- From the “RS-TF” Two-Family District and the “RM-3” Multifamily 3 District to the “ON” Office District on Tract B; and
- From the “RM-3” Multifamily 3 District to the “CG-2” General Commercial District on Tract C.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is requesting a rezoning to allow construction of multifamily, office and commercial uses. On Tract A, the applicant proposes to develop a new gated apartment complex with 304 dwelling units. Tract A will be developed in conjunction with the abutting 9.50 acres to the north, which are already zoned for apartment uses.

The current landowner plans to develop Tracts B and C with office and commercial uses independent of the apartment complex. These tracts would be developed in conjunction with the vacant land to the west, which is also owned by the same landowner.

ALTERNATIVES:

Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial uses. The proposed rezoning to the “RM-1” Multifamily 1 District and “ON” Office District on Tracts A and B respectively is not consistent with the adopted Future Land Use Plan, which designates Tracts A and B for commercial uses. Apartment and office uses are allowed, however, in a commercial zoning district. The proposed rezoning of Tracts A and B is an acceptable modification to the Zoning Map. The rezoning of Tract C to the “CG-2” General Commercial District is consistent with the Future Land Use Plan, which designates Tract C for commercial uses.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

- Operating Revenue Capital Not applicable

Fiscal Year: 2013-2014	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

- Aerial Overview Map
- Report with Attachments
- Ordinance with Exhibits