

PLANNING COMMISSION FINAL REPORT

Case No. 0115-01

HTE No. 14-10000048

Planning Commission Hearing Date: January 14, 2015

Applicant & Legal Description	<p>Applicant/Owner: The Convent Academy of the Incarnate Word Representatives: Scott Smith and Wayne Lundquist Legal Description/Location: Being 26.32 acres out of Lots 6 and 7, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Lipes Boulevard approximately 650 feet west of South Staples Street.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 To: "RM-1" Multifamily 1 District Area: 26.32 acres Purpose of Request: To allow development of multifamily uses.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>North</i>	"RS-6" Single-Family 6, "ON" Office and "RS-TF" Two-Family	Parks, Low Density Residential, Vacant and Medium Density Residential	Parks, Low Density Residential, Professional Office and Medium Density Residential
	<i>South</i>	"RS-6" Single-Family 6	Vacant and Low Density Residential	Low Density Residential
	<i>East</i>	"RM-1" Multifamily 1	Public Semi-Public and Medium Density Residential	Medium Density Residential
	<i>West</i>	"RM-1" Multifamily 1	Convent	Medium Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "RM-1" Multifamily 1 District is not consistent with the adopted Future Land Use Plan, but it is consistent with other elements of the Southside Area Development Plan. Map No.: 045032 Zoning Violations: None</p>			

Transportation	Transportation and Circulation: The subject property has approximately 1,220 feet of street frontage along Lipes Boulevard, which is designated as a “C1” Minor Residential Collector, and 130 feet of street frontage on Henderson Street, which is a local residential street. The property is located approximately 650 feet west of South Staples Street, which is designated as an “A3” Primary Arterial Divided street. There are no traffic calculations for average daily trips on this section of Lipes Boulevard. The nearest intersection with calculated trips is South Staples Street and Saratoga Boulevard with 17,712 average daily trips.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2014)
	Lipes Boulevard	“C1” Minor Residential	60’ ROW 40’ paved	65’ ROW 40’ paved	N/A
	Henderson Street	Local Residential	50’ ROW 28’ paved	80’ ROW 65’ paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District to allow development of multifamily dwellings. The “RM-1” District supports a maximum density of 22 dwelling units per acre compared to the current zoning “RS-6” District supporting 7.26 dwelling units per acre.

Development Plan: The applicant owns the entire 26.32-acre tract of land and the adjacent 15 acres to the west where a convent facility currently is under construction. The applicant intends to sell the 26.32 acres for development of an apartment complex, an assisted living facility and possibly townhomes, which would require a change of zoning to a Multifamily District.

Existing Land Uses & Zoning: North of the subject property, across Lipes Boulevard, is a park and single-family development in the “RS-6” Single-Family 6 District, a retirement facility in the “RS-TF” Two-Family District and a vacant lot zoned “ON” Office. South of the subject property is a single-family development in the “RS-6” Single-Family 6 District. East of the subject property is an apartment complex and a church in the “RM-1” Multifamily 1 District. West of the subject property is a convent under construction in the “RM-1” Multifamily 1 District.

AICUZ: The subject property is not located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan Consistency:

The Comprehensive Plan and the Southside Area Development Plan (ADP) slate the subject property for low density residential uses. The proposed change of zoning of the 26.32-acre tract of land to the “RM-1” Multifamily 1 District is not consistent with the adopted Future Land Use Map, but meets other criteria of the Comprehensive Plan and ADP, such as:

- Encouraging infill development on vacant tracts within developed areas (*Comprehensive Plan, Residential Policy Statement F*),
- Locating medium-density residential development along a collector street with convenient access to an arterial street (*Comprehensive Plan, Residential Policy Statement H*),
- Providing for a compatible configuration of activities with emphasis on accommodation of existing zoning patterns and the protection of low-density residential activities from incompatible activities (*Southside ADP Policy Statement B.1*),
- Buffering high-intensity commercial areas from low-density residential areas through the existence of roads, public/institutional buildings, open space, scale of designs, and transitional land uses (*Southside ADP Policy Statement B.6*), and
- Discouraging new high-intensity commercial developments from locating directly adjacent to low-intensity residential areas without an adequate transition or buffer (*Southside ADP Policy Statement B.7*).

Plat Status: The subject property is not platted.

Department Comments:

- Buffer Yard Requirements: The development would be required to provide a physical buffer between the “RM-1” District and the “RS-6” District located on the south side of the subject property. The zoning differences require a “Type A” Buffer Yard, which includes a 10-foot-wide landscaped buffer yard and 10 points as referenced in UDC Table 7.9.7. The relocation of the 50-foot-wide private drainage ditch to the south side of the property also provides a physical buffer from the low density residential uses.
- The rezoning is consistent with the Comprehensive Plan and with elements of the Southside Area Development Plan as outlined in the previous section of this report.
- The rezoning is compatible with the adjacent uses and with the character of the neighborhood.
- The property is suited for the proposed uses - an apartment complex, townhomes and assisted living facilities.
- The rezoning does not have a negative impact on the surrounding neighborhood because it is compatible with the surrounding uses and zoning and has access to roadways capable of handling increased traffic. Additionally, a buffer yard and additional setback requirements will be required at the southern boundary of the subject property where it is adjacent to a single-family neighborhood.

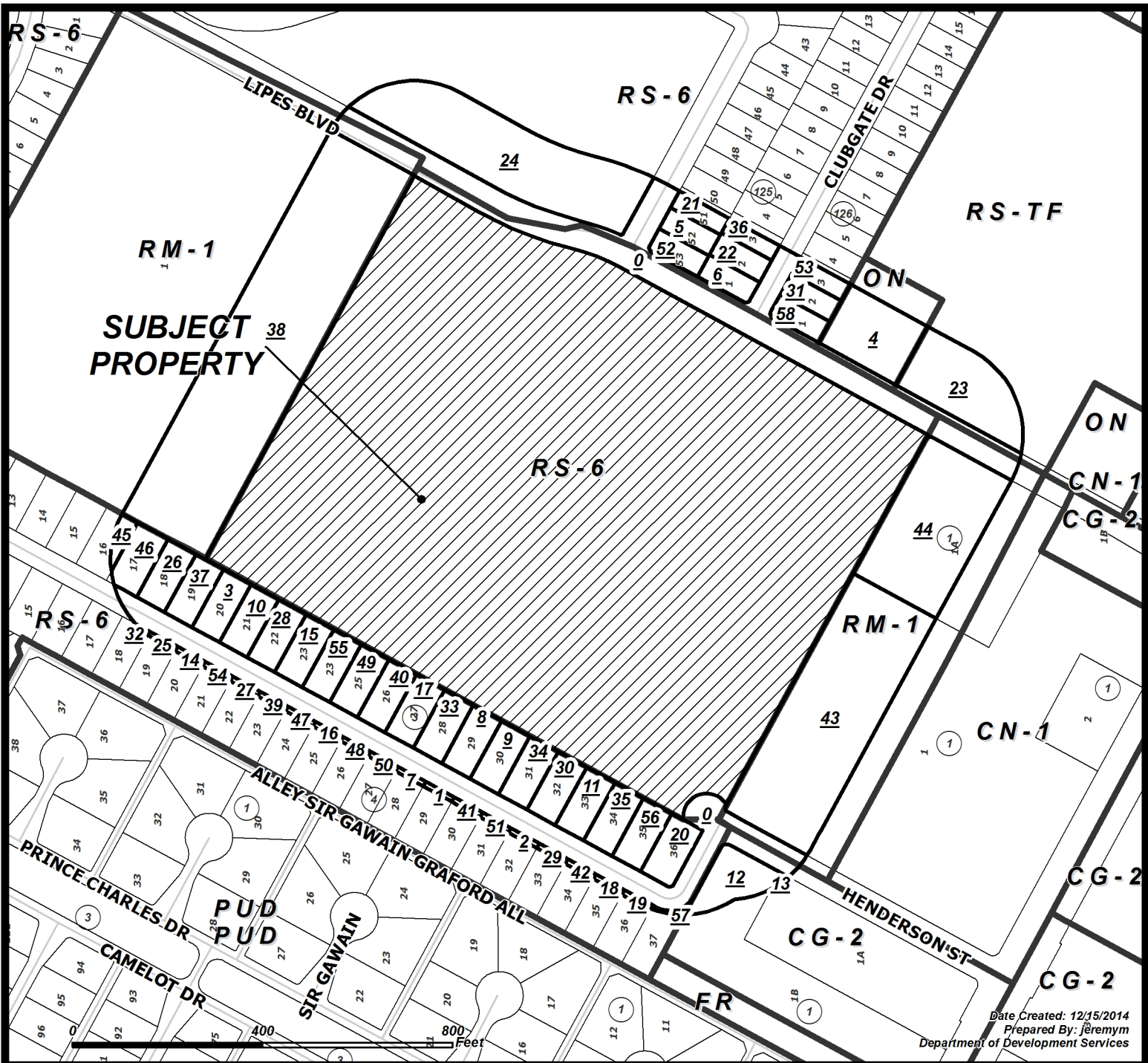
Planning Commission and Staff Recommendation:

Approval of the change of zoning from the “RS-6” Single-Family 6 District and to the “RM-1” Multifamily 1 District.

Public Notification	Number of Notices Mailed – 58 within 200-foot notification area 10 outside notification area
	<u>As of January 30, 2015:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area
	Totaling 0.31% of the land within the 200-foot notification area in opposition.

Attachments:

1. Location Map (Existing Zoning & Notice Area)



Date Created: 12/15/2014
 Prepared By: Jeremym
 Department of Development Services

CASE: 0115-01 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

