

# PLANNING COMMISSION FINAL REPORT

Case No. 0820-01

INFOR No. 20ZN1018

**Planning Commission Hearing Date:** August 5, 2020

<b>Applicant &amp; Legal Description</b>	<p><b>Owner:</b> High Tide Partnership, Ltd.  <b>Applicant:</b> High Tide Partnership, Ltd.  <b>Location Address:</b> 10582 State Highway 361  <b>Legal Description:</b> Being a 5.802 acre tract of land out of Survey 605, Land Survey 205 on Mustang Island, same being the property as conveyed and described in Volume 2211, pages 175-177 of the deed records of Nueces County, Texas, located along the west side of State Highway 361, north of Zahn Road, and south of Newport Pass Road).</p>			
<b>Zoning Request</b>	<p><b>From:</b> "FR" Farm Rural District  <b>To:</b> "CR-2" Resort Commercial District  <b>Area:</b> 5.80 acres  <b>Purpose of Request:</b> To allow for the construction of a potential multifamily development and/or boat storage facility.</p>			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"FR" Farm Rural	Vacant	Planned Development and Flood Plain Conservation
	<i>North</i>	"RS-6" Single-Family 6	Park	Permanent Open Space
	<i>South</i>	"FR" Farm Rural and "RE" Estate Residential	Vacant and Public / Semi-Public	Planned Development and Flood Plain Conservation
	<i>East</i>	"RS-6" Single-Family 6	Park	Permanent Open Space
	<i>West</i>	"FR" Farm Rural	Water	Water
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Mustang/Padre Island Area Development Plan and is planned for a Planned Development and Flood Plain Conservation use. The proposed rezoning to the "CR-2" Resort Commercial District is consistent with the adopted Comprehensive Plan (Plan CC).  <b>Map No.:</b> 027029  <b>City Council District:</b> 4  <b>Zoning Violations:</b> None</p>			

<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 200 feet of street frontage along State Highway 361 which is designated as a “RA3” Primary Rural Arterial Street.				
<b>Street R.O.W.</b>	<b>Street</b>	<b>Urban Transportation Plan Type</b>	<b>Proposed Section</b>	<b>Existing Section</b>	<b>Traffic Volume</b>
	<b>State Highway 361</b>	“RA3” Primary Rural Arterial	250’ ROW 76’ paved	225’ ROW 74’ paved	N/A

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the “FR” Farm Rural District to the “CR-2” Resort Commercial District to allow for the construction of a potential multifamily development and/or boat storage facility.

**Development Plan:** The subject property is 5.80 acres in size. The proposed use is a potential multifamily development and/or boat storage facility.

**Existing Land Uses & Zoning:** The subject property is currently zoned “FR” Farm Rural District and consists of vacant property. The property was annexed in 1999. To the north and west is Mustang Island State Park zoned “RS-6” Single-Family 6 District. To the south are vacant properties zoned “FR” Farm Rural District and Island in the Sun Methodist Church zoned “RE” Estate Residential District. To the east is the Laguna Madre lagoon and estuary.

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

**Plat Status:** The property is not platted.

**Utilities:**

**Water:** 20-inch ACP line located along State Highway 361.

**Wastewater:** Service is not available. The closest available wastewater line is approximately 9,000 feet to the south.

**Gas:** Not Available

**Storm Water:** Roadside ditches located along State Highway 361.

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Mustang/Padre Island Area Development Plan and is planned for a Planned Development and Flood Plain Conservation use. The proposed rezoning to the “CR-2” Resort Commercial District is consistent with the adopted Comprehensive Plan (Plan CC). The following policies should be considered:

- Encourage orderly growth of new residential, commercial, and industrial areas (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use. (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Encourage convenient access from medium-density residential development to arterial roads. (Future Land Use, Zoning, and Urban Design Policy Statement 4).

**Department Comments:**

- The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC), compatible with the surrounding uses, and does not have a negative impact upon adjacent properties.
- The “CR-2” Resort Commercial District is the appropriate zoning district for the proposed use. Approximately, 1,000 feet to the south along State Highway 361, a property was zoned “CR-2” District in 2009.
- The majority of the property is located in an “AE” flood zone indicating high risk and has a base flood elevation of 10-feet.

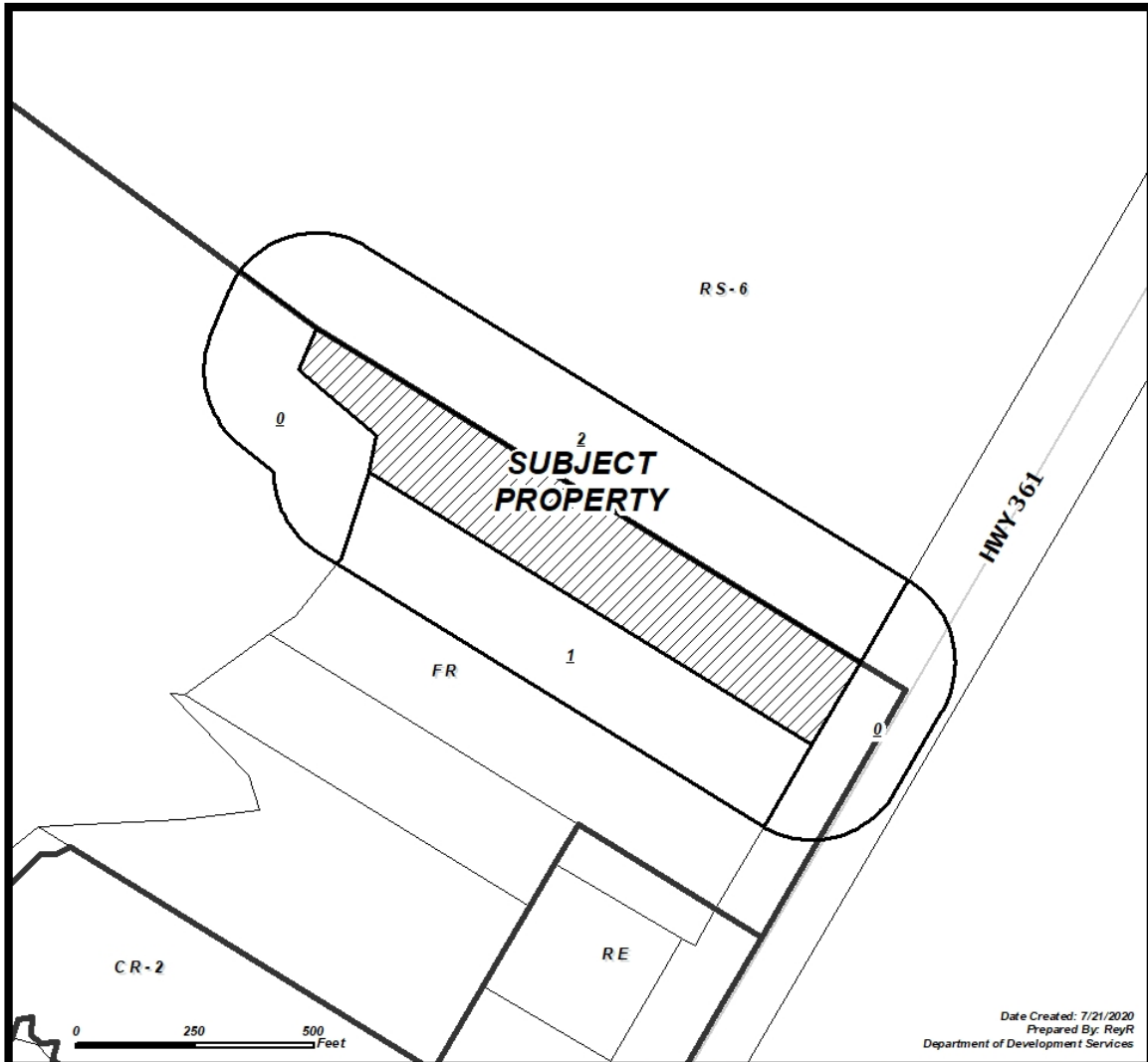
**Planning Commission and Staff Recommendation (August 5, 2020):**

Approval of the change of zoning from the “FR” Farm Rural District to the “CR-2” Resort Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 2 within 200-foot notification area 5 outside notification area
	<b><u>As of July 31, 2020:</u></b>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
Totaling 0.00% of the land within the 200-foot notification area in opposition.	

**Attachments:**

- A. Location Map (Existing Zoning & Notice Area)
- B. Public Comments Received (if any)



**CASE: 0820-01**  
**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

