

CITY COUNCIL ZONING REPORT

Case No.: 0813-01
 HTE No. 13-10000025

Planning Commission Hearing Date: August 14, 2013

Applicant & Legal Description	<p>Applicant/Representative: Stuart Spigel Owner: SPS Texas Centers, Ltd. Legal Description/Location: Lots 1-24, Block 8, Patrick-Webb Addition, located between Agnes and Marguerite Streets and between Twentieth and Twenty-first Streets.</p>			
Zoning Request	<p>From: "IL" Light Industrial District To: "CG-2" General Commercial District Area: 1 acre Purpose of Request: To allow commercial and public uses in an existing shopping center.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"IL" Light Industrial	Commercial	Commercial
	<i>North</i>	"IL" Light Industrial	Commercial	Commercial & Professional Office
	<i>South</i>	"RS-6" Single-Family 6 & "RM-3" Multifamily 3	Low Density Residential & Vacant	Low Density Residential
	<i>East</i>	"IL" Light Industrial	Commercial	Medium Density Residential & Commercial
	<i>West</i>	"IL" Light Industrial & "RS-6" Single-Family 6	Commercial	Medium Density Residential & Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Central Business Development Plan and is planned for commercial uses. The proposed rezoning to the "CG-2" General Commercial District is consistent with the adopted Future Land Use Plan. Map No.: 047044 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has 300 feet of frontage along Agnes Street, which is an "A2" Secondary Arterial Divided street, and Marguerite Street, which is a local street. The subject property has approximately 145 feet of frontage along 20th and 21st Streets, which are local streets.</p>			

	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
Street R.O.W.	Agnes St.	"A2" Secondary Arterial Divided	100' ROW 54' paved	50' ROW 42' paved	Not Available
	Marguerite St.	Local Street	50' ROW 28' paved	50' ROW 28' paved	Not Available
	20 th St.	Local Street	50' ROW 28' paved	60' ROW 40' paved	Not Available
	21 st St.	Local Street	50' ROW 28' paved	60' ROW 40' paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "IL" Light Industrial District to the "CG-2" General Commercial District to allow additional commercial and public uses to occupy the existing shopping center. Some commercial and public/civic uses such as places of worship, educational facilities, and indoor recreation uses are not allowed in the "IL" District. The owner is interested in increasing the range of commercial uses allowed in his shopping center. The uses that currently occupy the shopping center are allowed in both the "IL" and "CG-2" Districts. A rezoning to the "CG-2" District would allow a broader range of commercial and other compatible uses on the subject property. The applicant does not plan to redevelop or expand the shopping center on the property at this time.

Existing Land Uses & Zoning: North of the subject property is a paint and body shop and vacant buildings zoned "IL" Light Industrial District. East of the subject property is an automotive shop and a vacant building zoned "IL" Light Industrial District. South of the subject property are single-family dwellings and vacant land zoned "RS-6" Single-Family 6 District and "RM-3" Multifamily 3 District. West of the subject property are vacant buildings zoned "IL" Light Industrial District and "RS-6" Single-Family 6 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 subject property is located within the boundaries of the Central Business Development Plan. The proposed rezoning to the "CG-2" General Commercial District is consistent with the adopted Future Land Use Plan's designation of the property as commercial.

Plat Status: The subject property is currently platted.

Department Comments:

- The shopping center’s current tenants consist of commercial and public uses that are permitted in the “CG-2” General Commercial District.
- The rezoning is consistent with the adopted Future Land Use Plan. Commercial uses are more compatible with the surrounding residential properties than light industrial uses.
- The proposed rezoning would not negatively impact the surrounding properties and the property to be rezoned is suitable for commercial uses.
- Commercial activities that generate large volumes of traffic should have direct access to arterial streets without having to traverse through residential areas. The subject property has direct access to Agnes Street, which is an arterial street.

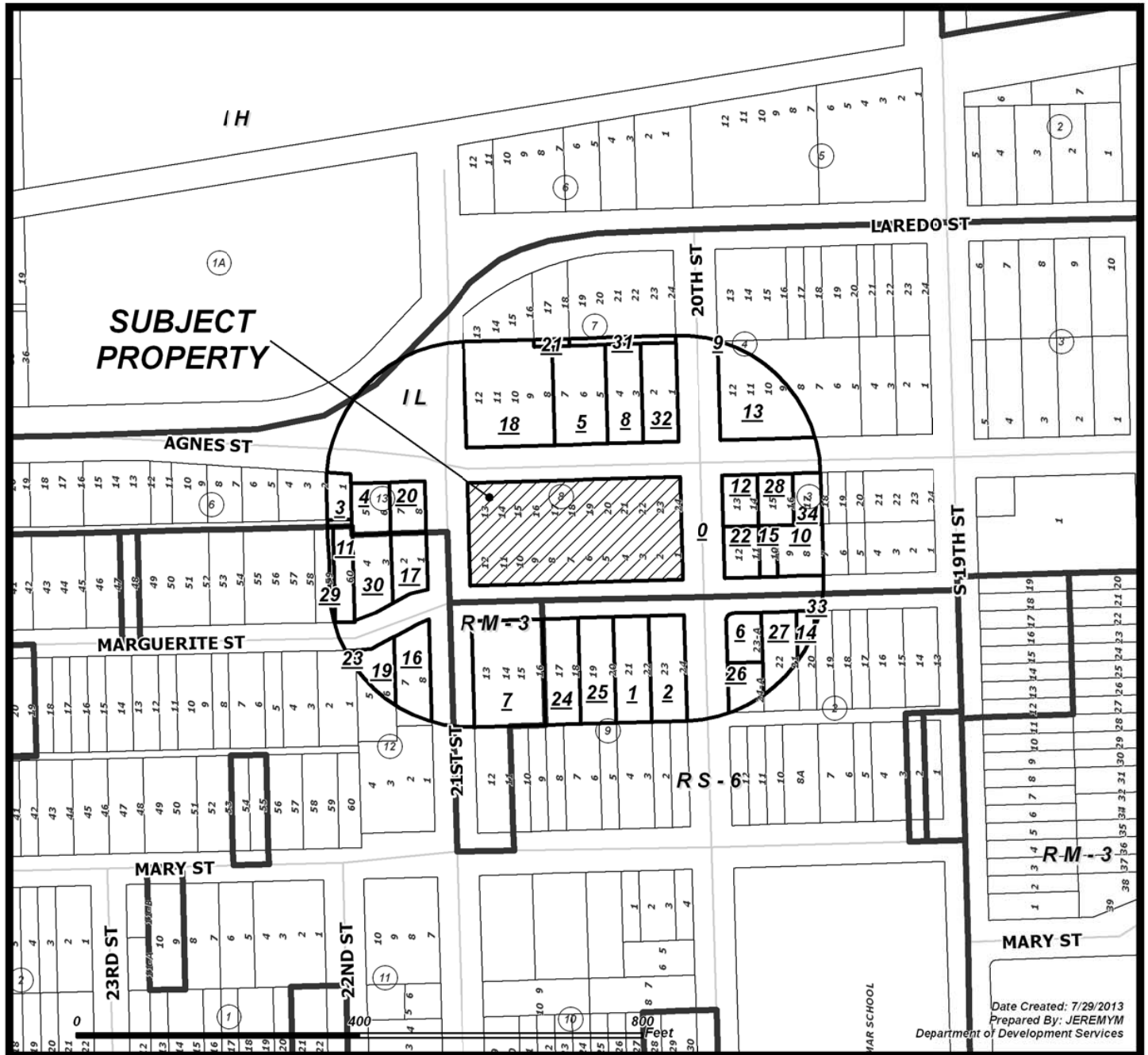
Planning Commission and Staff Recommendation (August 14, 2013):

Approval of the change of zoning from the “IL” Light Industrial District to the “CG-2” General Commercial District.

Public Notification	Number of Notices Mailed – 34 within 200’ notification area; 6 outside notification area
	<u>As of August 15, 2013:</u>
	In Favor – 4 (inside notification area); 0 (outside notification area)
	In Opposition – 0 (inside notification area); 0 (outside notification area)
For 0.00% in opposition.	

Attachments:

- A. Location Map (Existing Zoning & Notice Area)



Date Created: 7/29/2013
 Prepared By: JEREMYM
 Department of Development Services

CASE: 0813-01 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 within 200' listed on attached ownership table
 Owners in opposition

