

# STAFF REPORT

Case No. 0715-05  
HTE No. 15-10000041

Planning Commission Hearing Date: July 29, 2015

Applicant & Legal Description	<b>Applicant/Representative:</b> John Kendall and The Boston Group <b>Owner:</b> Cloudcroft Land Ventures, Inc. <b>Legal Description/Location:</b> Being 10.293 acres of land out of Lot 13 and 14, Section 55, Flour Bluff Encinal Farm and Garden Tracts, located along the south side of Graham Road approximately 260 feet east of Waldron Road.			
Zoning Request	<b>From:</b> "RM-1" Multifamily 1 District <b>To:</b> "CG-2" General Commercial District <b>Area:</b> 10.293 acres <b>Purpose of Request:</b> To allow the development of a boat storage facility.			
Existing Zoning and Land Uses		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	Site	"RM-1" Multifamily 1	Vacant	Commercial and Medium Density Residential
	North	"CG-2" General Commercial	Commercial and Vacant	Medium Density Residential
	South	"RM-1" Multifamily 1	Public Semi-Public and Vacant	Public Semi-Public
	East	"IH" Heavy Industrial	Heavy Industrial	Light Industrial
	West	"CG-2" General Commercial	Commercial and Vacant	Commercial
ADP, Map & Violations	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Flour Bluff Area Development Plan and is planned for medium density residential uses. The proposed rezoning to the "CG-2" General Commercial District is not consistent with the adopted Future Land Use Plan, but some elements of the Flour Bluff Area Development Plan. <b>Map No.:</b> 035031 <b>Zoning Violations:</b> None			
Transportation	<b>Transportation and Circulation:</b> The subject property has approximately 260 feet of street frontage along Graham Road, which is a "C1" Minor Residential Collector street, and 50 feet of street frontage along Waldron Road which is an "A2" Secondary Arterial Divided street.			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
	Graham Road.	"C1" Minor Residential Collector	60' ROW 40' paved	57' ROW 18' paved	N/A
	Waldron Road	"A2" Secondary Arterial Divided	100' ROW 54' paved	86' ROW 61' paved	15,938 ADT

### **Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District to allow the development of a boat storage facility.

**Development Plan:** The proposed rezoning is in the Flour Bluff area. The applicant is proposing a boat storage facility on 10.293 acres of land, which fronts mostly Graham Road and has access to Waldron Road. There will be four buildings on site for a total of 295 boat stalls. Each stall will be approximately 481 square feet. One employee will remain on site. Customers will have access seven days a week during the operating hours of 8 a.m. to 5 p.m. A 10-foot-wide buffer yard and 5 buffer yard points will be required along the property line adjacent to the "RM-1" Multifamily 1 District. Along the property lines adjacent to the "IH" Heavy Industrial, a 15-foot-wide buffer yard and 15 buffer points will be required.

**Existing Land Uses & Zoning:** North and west of the subject property is zoned "CG-2" General Commercial and consists of an O'Reilly Auto Parts retail store, a boat repair shop, vacant land fronting Waldron Road and Mango Car Wash. South of the subject property is zoned "RM-1" Multifamily 1 where a church, St. Peter's By the Sea, is located and vacant land. East of the subject property is zoned "IH" Heavy Industrial with a gas plant on it.

**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 Flour Bluff Area Development Plan (ADP). The proposed rezoning to the "CG-2" General Commercial District is not consistent with the adopted Future Land Use Plan's designation of the property as medium density residential. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- Existing industrial uses south of South Padre Island Drive and between Waldron Road and Laguna Shores should be encouraged to transition into uses compatible to adjacent proposed multi-family land uses if, and when the current uses are discontinued. – **Flour Bluff Area Development Plan Policy Statement B.12**

- Expansion of commercial or industrial use into residential areas may be permitted only if the expansion maintains or improves the residential desirability of the impacted area. – **Comprehensive Plan Land Use Statement E**
- Minimize the impact of commercial areas on adjacent, existing or future residential areas through the use of compact design, screening fences, open space and landscaping – **Comprehensive Plan Commercial Land Use Policy B**
- Expansion of commercial uses into or within residential areas may be permitted only if such expansion maintains or improves the residential desirability of the impacted neighborhoods. – **Comprehensive Plan Commercial Land Use Policy D**
- Encourage all business areas to develop and maintain a pleasing environment - **Comprehensive Plan Commercial Land Use Policy E**

**Plat Status:** The property will need to be re-platted.

**Department Comments:**

- The existing zoning of “RM-1” Multifamily 1 is not a desirable location for residential uses because of its adjacency to an “IH” Heavy Industrial District where a gas plant currently is in operation.
- A zoning of “CG-2” General Commercial District allows for an expansion of the commercial zoning to the northwest of the subject property where the O’Reilly Auto Parts retail store is located, which provides further buffer between the gas plant and the developed properties due west and to the south.
- The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed amendment.
- It is staff’s opinion that the proposed rezoning is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
- The rezoning is consistent with elements of the city’s Comprehensive Plan.
- The rezoning is compatible with the adjacent neighborhood and land uses.
- The zoning map amendment does not have a negative impact on the surrounding neighborhood.

**Staff Recommendation:**

Approval of the change of zoning from the “RM-1” Multifamily 1 District to the “CG-2” General Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 12 within 200-foot notification area 9 outside notification area
	<b><u>As of July 22, 2015:</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:**

1. Location Map (Existing Zoning & Notice Area)
2. Application