

# PLANNING COMMISSION FINAL REPORT

Case No. 0515-01

HTE No. 15-10000023

Planning Commission Hearing Date: May 6, 2015

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> The Mostaghasi Investment Trust  <b>Representatives:</b> Jim Villaume  <b>Legal Description/Location:</b> Being 7.782 acres out of Lots 21 and 22, Section 12, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Durant Drive between Dewberry Drive and Dogtooth Court.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RS-6" Single-Family 6 District  <b>To:</b> "RM-1" Multifamily 1 District  <b>Area:</b> 7.782 acres  <b>Purpose of Request:</b> To allow construction of an apartment complex.</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>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>North</i>	"RM-1" Multifamily 1 and "RS-6" Single-Family 6	Medium Density, Low Density Residential and vacant	Medium Density and Low Density Residential
	<i>South</i>	PUD	Low Density Residential and Drainage Corridor	Low Density Residential and Drainage Corridor
	<i>East</i>	"FR" Farm Rural	Park	Park
	<i>West</i>	"RS-6" Single-Family 6	Vacant	Professional Office
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan and is planned for low density residential uses. The proposed zoning is not consistent with the adopted Future Land Use Plan.  <b>Map No.:</b> 043033  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has approximately 420 feet of street frontage along Durant Drive, which is a local residential street. Local residential streets have a maximum desirable average daily trip of 500. The density of the desired zoning district would allow a maximum number of 169 apartments, which would generate approximately 1,120 average daily trips onto Durant Drive.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2011)
	Durant Drive	Local Residential	50' ROW 28' paved	60' ROW 40' paved	N/A
	Dewberry Street	Local Residential	50' ROW 28' paved	60' ROW 40' 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 construction of apartment housing.

**Development Plan:** The proposed rezoning is within the Wooldridge Creek No. 12 subdivision adjacent to the Wooldridge Creek Apartments and near Blanche Moore Elementary School. The applicant is proposing a Phase II expansion of the Wooldridge Creek Apartments on the subject property. The intent is to develop 160 apartments in addition to the 206 units due north of the subject property. The applicant stated access to the subject property would be made through the existing apartment complex, which has main access on Wooldridge Road. A site plan has been submitted by the applicant to show the property access (as previously described) and a layout of the proposed apartment complex. The Unified Development Code limits commercial driveway access to the subject property from local streets Durant or Dewberry drives if the property were developed as an apartment complex.

**Existing Land Uses & Zoning:** North of the subject property, across Durant Drive, are single-family homes in the “RS-6” Single-Family 6 District; also north of the subject property, but adjacent, is the Wooldridge Creek Apartments in the “RM-1” Multifamily 1 District. South of the subject property are single-family homes in a Planned Unit Development, which are separated from the property by a 95-foot-wide drainage easement. East of the subject project is a dedicated park in the “FR” Farm Rural District, and west is vacant land in the “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 Southside Area Development Plan (ADP). The proposed rezoning to the “RM-1” General Commercial District is not consistent with the Southside ADP or the adopted Future Land Use Plan’s designation of the property as low density residential. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- The placement of commercial activities at locations with good access and high visibility (Southside ADP Policy B.1). This subject property does not have access for commercial uses, such as an apartment complex.

- 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 neighborhood (Comprehensive Plan, Commercial Policy Statement d).

**Plat Status:** The subject property includes two tracts of land, which are not platted.

**Department Comments:**

- The proposed rezoning deviates from the Comprehensive Plan:
  - High-density apartment (more than 21 units per acre) developments produce a high level of activity and heavy traffic movement. To prevent this traffic from spilling onto residential streets, high-density apartments should be located with direct arterial access or along an interior access street designed specifically to collect apartment traffic and distribute it directly to an arterial without passing through a lower density residential area.
  - Each neighborhood of the city should be protected and/or improved so as to be a desirable and attractive residential environment.
- It is staff’s opinion that the proposed rezoning would negatively impact the surrounding residential properties and the property to be rezoned is not consistent with the Future Land Use Plan’s designation of the property as a low density residential use.
- A “RM-1” District would allow uses that could potentially increase traffic through residential areas on Durant and Dewberry drives, which are local residential streets.
- Staff’s opinion is that an apartment complex does not increase the residential desirability of this neighborhood, which is one of the findings required of the Comprehensive Plan when deciding which multifamily uses to allow within residential areas.
- Staff does not recommend an apartment complex be developed on the subject property. Therefore, staff does not recommend a Special Permit be granted to allow the apartment complex.

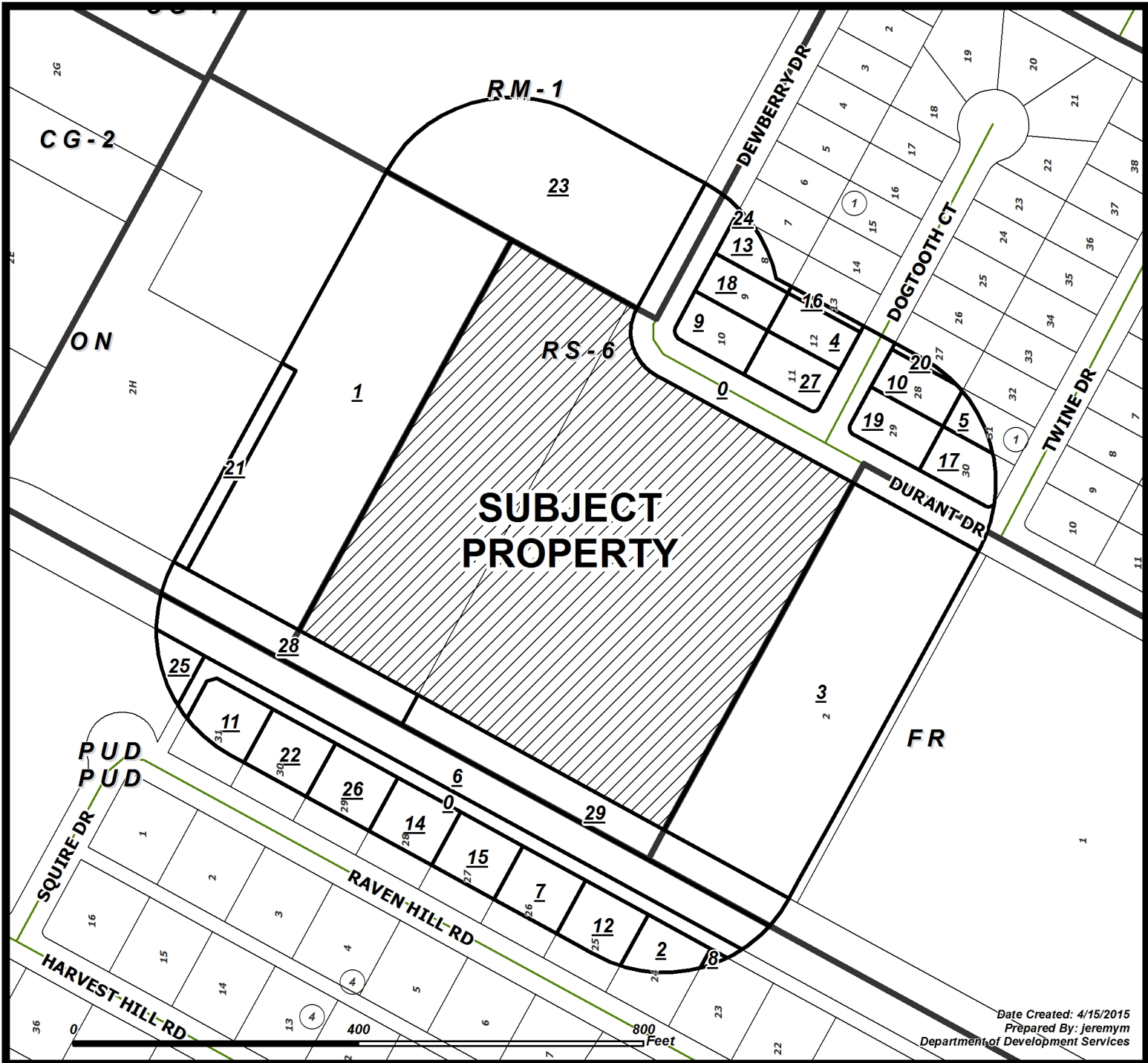
**Planning Commission and Staff Recommendation:**

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

<b>Public Notification</b>	Number of Notices Mailed – 29 within 200-foot notification area 7 outside notification area
	<b><u>As of May 19, 2015:</u></b>
	In Favor –0 inside notification area – 0 outside notification area
	In Opposition – 14 inside notification area – 86 outside notification area
Totalling 32.66% of the land within the 200-foot notification area in opposition.	

**Attachments:**

1. Location Map (Existing Zoning & Notice Area)
2. Site Plan-Revised 5/19/15



## CASE: 0515-01 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		

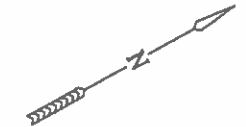
Subject Property with 200' buffer

Owners in favor

Owners within 200' listed on attached ownership table

Owners in opposition

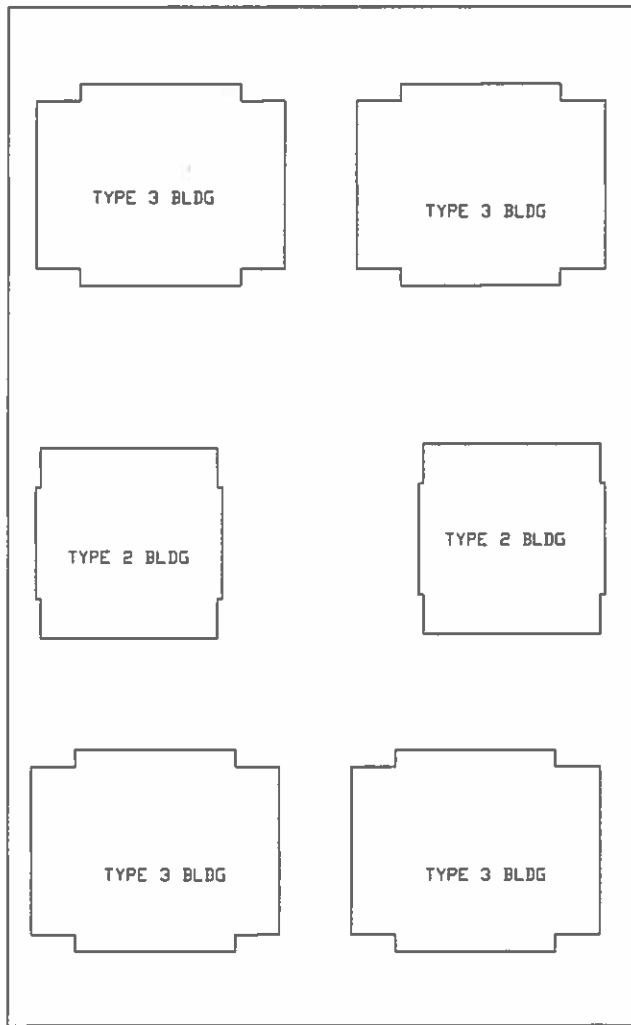
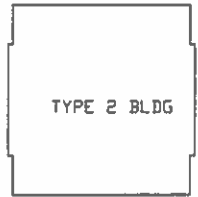
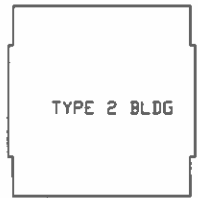
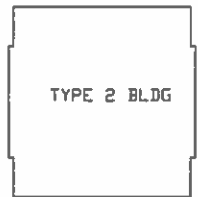
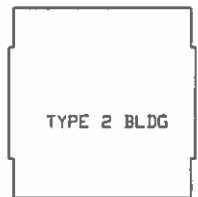




LOT 24, BLOCK 3,  
THE ESPLANADE UNIT 1  
V. 67, P. 74 & 75, N.R.

N29°00'00"E 623.25'

20' DE



WOODLDRIDGE CREEK UNIT 13  
V. 68, P. 69, N.R. S61°00'00"E 211.04'

PICNIC AREA

EXISTING TYPE 3 BLDG

REMOVE HALF OF BUILDING

20' DE

CL DEWBERRY ST.

L=89'39"20"  
R=70.00'  
I=65.99'  
L=108.94'  
CB=316'00"20"E  
O=78.9'

PICNIC/POOL/TENNIS

10' DE

S61°00'00"E 314.10'

CL DURANT ST.

S29°00'00"W 553.69'

LOT 2, BLK 2, BLANCHE  
MOORE SCHOOL SUBDIVISION,  
V. 52, P. 67 & 68, N.R.

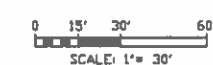
47.5' CITY DRAINAGE  
RIGHT-OF-WAY, V.  
49, P. 142, N.R.

CL 75' BLANCHE RD  
47.5' CITY DRAINAGE  
RIGHT-OF-WAY, V.  
1774, P. 209, N.R.

CL 55' SRS 14'

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF NIXON M. WELSH, P.E. NO. 36240 OF BASS & WELSH ENGINEERING, F. 52. IT IS NOT TO BE USED FOR CONSTRUCTION OR BIDDING PURPOSES.

BASS & WELSH ENGINEERING TX SURVEY REG. NO. 100027-00, TX ENGINEERING REG. NO. F-52, 3054 S. ALAMEDA STREET, CORPUS CHRISTI, TEXAS 78404		
PROPOSED APARTMENTS WOODLDRIDGE CREEK UNIT 13, BLOCK 1, LOT 2		
PRELIMINARY SITE PLAN		
DWG. _____	PLOT SCALE: 1" = 30'	COM. NO. P003.DWG
CHK. _____	SCALE (S): AS SHOWN	JOB NO. 04083
	DATE PLOTTED 05/19/15	SHEET 1 OF 1



015-01