



## AGENDA MEMORANDUM

Public Hearing & First Reading Ordinance for the City Council Meeting 03/08/22  
Second Reading Ordinance for the City Council Meeting 03/22/22

**DATE:** January 28, 2021  
**TO:** Peter Zaroni, City Manager  
**FROM:** Al Raymond, AIA, Director  
Development Services Department  
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Rezoning a property at or near 5409 Lipes Boulevard

### **CAPTION:**

Zoning Case No. 0122-04, Saratoga Palms Properties, Ltd: (District 5) Ordinance rezoning property at or near 5409 Lipes Boulevard by amending the Special Permit in the "RM-1/SP" Multifamily District with a Special Permit to increase density on 9.43 acres from 22 dwelling units per acre to 28 dwelling units per acre.

### **SUMMARY:**

The purpose is to allow for construction of an apartment complex with increased density. The developer is proposing a 246-unit apartment complex consisting of three-story tall buildings with 466 parking spaces. The applicant is seeking to amend the existing special permit to allow a density of 28 dwelling units per acre.

### **BACKGROUND AND FINDINGS:**

The subject property is 9.43 acres in size. The subject property was rezoned to the "RM-1/SP" Multifamily District with a Special Permit in 2015. To the north across Lipes Boulevard is Crossgate Park and residential homes zoned "RS-6" Single-Family 6 District. To the south are residential homes zoned "RS-6" Single-Family 6 District. To the east are two multifamily developments zoned "RM-1/SP" Multifamily District with a Special Permit and consisting of a combined 169 dwelling units. To the west is a vacant property zoned "RM-1/SP" Multifamily District with a Special Permit with a 60-unit apartment complex currently under construction and the Incarnate Word Convent zoned "RM-1" Multifamily District.

### **Conformity to City Policy**

The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a high-density residential use. The proposed rezoning to the "RM-1/SP" Multifamily District with a Special Permit is consistent with the adopted Comprehensive Plan (Plan CC).

**Public Input Process**

Number of Notices Mailed  
32 within 200-foot notification area  
4 outside notification area

*As of January 29, 2022:*

In Favor	In Opposition
0 inside notification area	1 inside notification area
0 outside notification area	0 outside notification area

Totaling 0.81% of the 200-foot notification area\* is in opposition.

\*Created by calculating the area of land immediately adjoining the subject property and extending 200-foot therefrom. The opposition is totaled by the total area of land that each individual property owner owns converted into a percentage of the total 200-foot notification area.

Notified property owner's land in square feet / Total square footage of all property in the notification area = Percentage of public opposition

**ALTERNATIVES:**

1. Denial of the zoning from the "RS-6/SP" Single-Family 6 District with a Special Permit.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**RECOMMENDATION:**

Approval of the change of zoning from the "RS-6/SP" Single-Family 6 District with a Special Permit.

*Vote Count:*

For: 4  
Opposed: 1  
Absent: 4  
Abstained: 0

Staff recommends approval of the zoning request.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance  
Presentation - Aerial Map  
Planning Commission Final Report