



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of January 12, 2016
Second Reading for the City Council Meeting of January 19, 2016

DATE: December 22, 2015

TO: Ronald L. Olson, City Manager

FROM: Daniel McGinn, AICP CFM, Interim Director, Development Services Department
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<p>Public Hearing and First Reading for Rezoning Property at 5825 Up River Road</p>
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CAPTION:

Case No. 1215-04 John Dunn Walsh: A change of zoning from the "IH" Heavy Industrial District to the "RE" Residential Estate District, resulting in a change to the Future Land Use Map from heavy industrial uses to estate residential uses. The property is described as being a 2.00 acre tract of land, of the Rincon del Oso Grant to Enrique Villarreal, Abstract 1, Survey No. 142, out of a 17.75 acre tract described as Real Property 1, in an Inventory and Appraisalment Document No. 262134-1 as recorded in Volume 703, Page 139 of the Court Records of Nueces County Texas, being a portion of a 29.67 acre tract called the Katie and Alice Dunn Home tract, in the said Document and being a portion of a 110 acre tract described in a deed from Jonas Pickles, et ux, Eliza Pickles to John Dunn as recorded in Volume H, Page 627 of the Deed Records of Nueces County, Texas, located approximately 850 feet south of Up River Road and east of County Road 52A and west of Lantana Street.

PURPOSE:

The purpose of this item is to rezone the property to allow for the reconstruction of a single family home.

RECOMMENDATION:

Planning Commission and Staff Recommendation (December 16, 2015):
Approval of the change of zoning from the "IH" Heavy Industrial District to "RE" Residential Estate District.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is proposing to build a new single family dwelling after demolishing the existing single-family dwelling. The unplatted tract of land is two acres in size and roughly 350 feet by 200 feet. At a minimum, the Unified Development Code would require a 50-foot front yard setback, 25 foot wide side yard setbacks and a 15 foot rear yard setback.

The proposed rezoning is not consistent with the adopted Future Land Use Map designation of the property as heavy industrial. While the proposed zoning deviates from the Future Land Use Plan, the existing zoning of "IH" Heavy Industrial next to residentially zoned and occupied property conflicts with the Corpus Christi Policy Statements. The "IH" Heavy Industrial Zoning predates the adoption of the Future Land Use Plan and a rezoning to a more compatible district could improve the compatibility of land uses while the residential uses remain. Rezoning to the "RE" Residential Estate District on only two acres of the Walsh Family's 15 acres would be a small step toward greater land use compatibility.

ALTERNATIVES:

Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Westside Area Development Plan (ADP). The proposed rezoning is not consistent with the adopted Future Land Use Map designation of the property as heavy industrial but is consistent with other policies of the Comprehensive Plan.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:☐ Operating☐ Revenue☐ Capital☒ Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None**LIST OF SUPPORTING DOCUMENTS:**

Presentation - Aerial Map

Ordinance

Planning Commission Final Zoning Report