



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of November 13, 2012
Second Reading Ordinance for the City Council Meeting of November 20, 2012

DATE: October 15, 2012
TO: Ronald L. Olson, City Manager
FROM: Mark E. Van Vleck, P.E., Interim Director, Department of Development Services
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PUBLIC HEARING – CHANGE OF ZONING
The Mostaghasi Investment Trust DBA Sun George Contracting and Development Co.
(Case No. 1012-01)
Change from “FR” Farm Rural District to “RM-2” Multifamily 2 District
and “RS-6” Single-Family 6 District
Property Address: 4033, 4013, 4001, 3933, 3901 Airline Road

CAPTION:

Case No. 1012-01 The Mostaghasi Investment Trust DBA Sun George Contracting and Development Co.: A change of zoning from the “FR” Farm Rural District to the “RM-2” Multifamily 2 District on Tract 1 and the “RS-6” Single-Family 6 District on Tract 2, resulting in a change of future land use from commercial to high density residential on Tract 1 and from medium density residential to low density residential on Tract 2. The property to be rezoned is described as being a 21.179-acre tract of land out of Lots 7 and 8, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, located on the southwest corner of Airline Road and Lipas Boulevard.

PURPOSE:

The purpose of this item is to rezone the property to allow construction of a single-family subdivision and apartment complex.

RECOMMENDATION:

Planning Commission and Staff Recommendation (October 10, 2012):
Approval of the change of zoning from the “FR” Farm Rural District to the “RM-2” Multifamily 2 District on Tract 1 and the “RS-6” Single-Family 6 District on Tract 2.

BACKGROUND AND FINDINGS:

The applicant is requesting a change of zoning from the “FR” Farm Rural District to the “RM-2” Multifamily 2 District on the northern 12.623 acres and the “RS-6” Single-Family 6 District on the southern 8.556 acres of the subject property in order to construct a single-family neighborhood and a high density apartment complex. The proposed apartment complex on Tract 1 will consist of 27 buildings with a total of 324 units. Tract 2 will be subdivided into 30 single-family lots with a minimum lot size of 6,000 square feet.

North and east of the subject property are vacant tracts of land that are zoned “FR” Farm Rural District. To the east of the property across Airline Road, which is scheduled to be closed, is

vacant land zoned “FR” Farm Rural District. West of the subject property is a temporary drainage corridor that is zoned “RS-6” Single-Family 6 District, and will be developed into a single-family neighborhood in the future. There is also a public drainage corridor south of the property.

The Future Land Use Plan suggests this property to be used for commercial and multifamily uses. But with Airline Road closing south of Lipes Boulevard, this property does not have sufficient access to major arterial roadways to accommodate commercial developments. The proposed rezoning provides more appropriate land uses for this area due to the future closure of Airline Road. The proposed apartment complex will have access to Airline Road, which is an Arterial roadway, via Lipes Boulevard. Traffic will not be channeled through residential streets. An apartment complex and single-family neighborhood are appropriate uses for the area.

ALTERNATIVES:

1. Approve an intermediate zoning district or Special Permit; or
2. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The proposed change of zoning is within the Southside Area Development Plan. The proposed developments are not consistent with the adopted Future Land Use Plan, which slates the property for commercial and medium density residential uses. Due to the future closure of Airline Road, staff recommends approval of this rezoning as proposed with a multifamily use at the intersection of Lipes Boulevard and Airline Road and a single-family use on the southern portion of the property. The rezoning is consistent with elements of the Comprehensive Plan.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning, Legal, and Planning Commission

FINANCIAL IMPACT:

- Operating Revenue Capital Not applicable

Fiscal Year: 2011-2012	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:

Aerial Overview Map, Zoning Report with Attachments, and Ordinance with Exhibit