

PLANNING COMMISSION FINAL REPORT

Case No. 0814-01

HTE No. 14-10000032

Planning Commission Hearing Date: August 13, 2014

Applicant & Legal Description	<p>Applicant/Owner: Gladys Mattie Smith Marital Trust, Patricia Peterson Nuss and Chris Ann Peterson Brown</p> <p>Legal Description/Location: Being 14.24 acres out of Lots 23 and 24, Section 28, Flour Bluff and Encinal Farm and Garden Tracts, located south of Williams Drive between Ennis Joslin Road and Paul Jones Avenue.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District</p> <p>To: "CN-1" Neighborhood Commercial District on Tract 1 and "RM-3" Multifamily 3 District on Tract 2</p> <p>Area: 14.24 acres</p> <p>Purpose of Request: To allow construction of a student housing development, a convenience store and a retail strip center.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>North</i>	"RM-3" Multifamily 3	Medium Density Residential	Medium Density Residential
	<i>South</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential
	<i>East</i>	"FR" Farm-Rural	Park	Low Density Residential
	<i>West</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential

ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan (ADP) and is planned for a low density residential use. The proposed change of zoning to the “CN-1” Neighborhood Commercial District on Tract 1 and “RM-3” Multifamily 3 District on Tract 2 is not consistent with the adopted Future Land Use Plan.</p> <p>Map No.: 039033</p> <p>Zoning Violations: None</p>				
Trans- portation	<p>Transportation and Circulation: The subject property is located at the southeast corner of Ennis Joslin Road and Williams Drive. The property will have direct access to Williams Drive, which is an existing “C2” Secondary Collector street, and Ennis Joslin Road, which is a proposed “A3” Primary Arterial street. A traffic calculation was submitted and was determined that a Traffic Impact Analysis (TIA) was not required due to the number of trips during peak hour not exceeding 501 trips.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2011)
	Williams Drive	“C2” Secondary Collector Street	65’ ROW 41’ paved	65’ ROW 41’ paved	Not Available
	Ennis Joslin Road	“A3” Primary Arterial Street	130’ ROW 79’ paved	130’ ROW 79’ paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from “RS-6” Single Family 6 District to the “CN-1” Neighborhood Commercial District on Tract 1 and “RM-3” Multifamily 3 District on Tract 2.

Applicant’s Development Plan: In the proposed 10.80 acres of “RM-3” Multifamily 3 District zoning, the applicant is proposing to develop a multifamily student housing development. The development will consist of 73 individual buildings with a total of 336 bedrooms for housing. The development will include a gym, swimming pool, basketball court and dog park. In the proposed 3.44 acres of “CN-1” Neighborhood Commercial District zoning, the applicant is proposing to develop a retail strip center.

Existing Land Uses & Zoning: North of the subject property across and adjacent to Williams Drive is a new multifamily student housing development zoned “RM-3” Multifamily 3 District. South of the subject property is vacant land zoned “RS-6” Single-Family 6 District. East of the subject property is an existing park and Oso Pony League ball fields zoned “FR” Farm Rural District. West of the subject property is vacant land zoned “RS-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 (ADP) Consistency: The proposed change of zoning is not consistent with the Comprehensive Plan and the adopted Future Land Use Plan, which states the property for a low-density residential use. The proposed rezoning opens examination into two pertinent elements of the Comprehensive Plan such as:

1. The "neighborhood" commercial activities will be aimed toward meeting the daily convenience retail needs of nearby residents for food, pharmaceuticals, personal services, etc.
2. Rezoning to the new Neighborhood District will occur on limited site area in new residential development.

Plat Status: The subject property will require platting with all infrastructure and public improvements in accordance with the Comprehensive Plan and all applicable area development plans and master plans.

Department Comments:

- Although the Zoning Map amendments are inconsistent with the Future Land Use Plan, the proposed student housing development will have direct access to a major collector and is compatible with the present zoning and conforming uses of nearby property street. The "RM-3" Multifamily 3 District also borders an existing sports complex.
- The requested "CN-1" Neighborhood Commercial District is located at the intersection of a major collector street and major arterial street, which is an appropriate location for commercial uses.
- The requested "RM-3" Multifamily 3 District is an expansion of the existing "RM-3" Multifamily 3 District to the North. The proposed rezoning will have minimum impact to the properties to the south.

Planning Commission and Staff Recommendation:

Approval of the rezoning from the "RS-6" Single-Family 6 District to "CN-1" Neighborhood Commercial District on Tract 1 and "RM-3" Multifamily 3 District on Tract 2.

Public Notification	Number of Notices Mailed – 5 within 200-foot notification area 2 outside notification area
	<u>As of August 31, 2014:</u>
	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:

- A. Aerial Map
- B. Site Map



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2013 AERIAL

 Subject Property

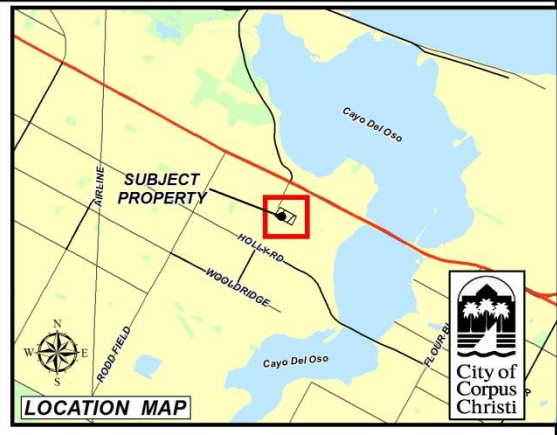


Exhibit A

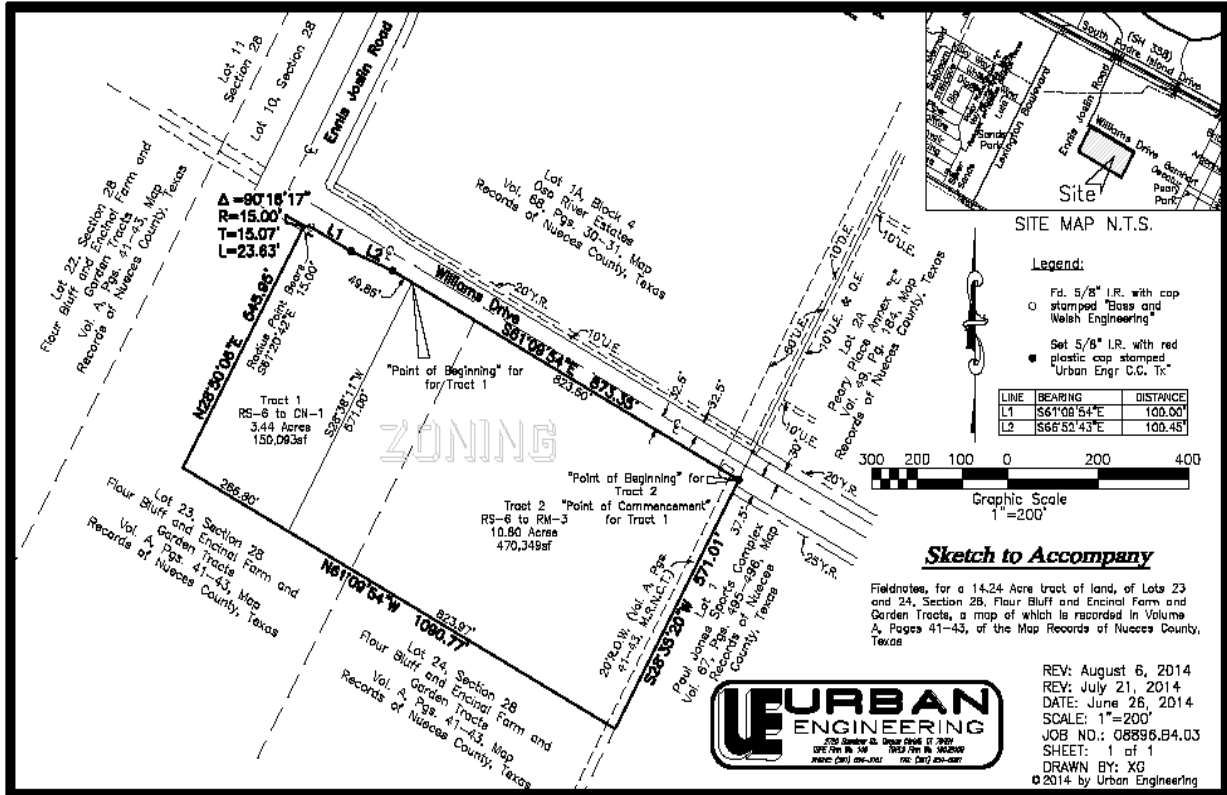


Exhibit B