



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of May 10, 2016
Second Reading for the City Council Meeting of May 17, 2016

DATE: April 19, 2016

TO: Ronald L. Olson, City Manager

FROM: Daniel McGinn, AICP CFM Interim Director, Development Services Department
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**Public Hearing and First Reading for Property at
7442 Wooldridge Road**

CAPTION:

Case No. 0316-02 Alex Azali: A change of zoning from the "RM-1" Multifamily 1 District to the "RM-2" Multifamily 2 District. The property is described as being a 13.814 acre tract of land out of a portion of Lots 13 and 14, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, located along the north side of Wooldridge Road between Bevo Drive and Gold Star Drive.

PURPOSE:

The purpose of this item is to rezone the property to allow for the development of a 360-unit multifamily project.

***RECOMMENDATIONS:**

Planning Commission and Staff Recommendations:

Denial of the change of zoning from the "RM-1" Multifamily 1 District to the "RM-2" Multifamily 2 District and, in lieu thereof, approval of the change of zoning to the "RM-1/SP" Multifamily 1 District with a Special Permit, subject to the following conditions:

1. Uses: All uses allowed in the "RM-1" Multifamily 1 District.
2. Density: The maximum density shall be 26.51 units per acre.
3. Height: The maximum height of any structure shall not exceed 3 stories or 45 feet, whichever is most restrictive.
4. *Balconies: No balcony shall face adjacent single-family development.
[Regarding Condition #4, Staff originally proposed the following: "No balcony on the most northern buildings shall face adjacent single-family

development.” The Planning Commission modified the Staff Recommendation and recommended that Condition #4 not allow balconies on any building facing adjacent single-family development.]

5. Lighting: All lighting shall be shielded and meet all requirements of the UDC. Lighting may not exceed 15 feet in height in the parking area where north and east property lines are abutting single-family development.
6. Solid Waste Containers: No solid waste container shall be installed within 50 feet of the property lines adjacent to single-family development.
7. Other Requirements: The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, and Building and Fire Code Requirements.
8. Time Limit: The Special Permit shall expire in 24 months after approval of this ordinance unless a complete building permit application has been submitted.

Vote Results

For: 6

Against: 1

Absent: 1

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is requesting a rezoning from the “RM-1” Multifamily 1 District to the “RM-2” Multifamily 2 District in order to develop a multifamily project with approximately 360 units. The density proposed is 26 units per acre, which is more than the “RM-1” Multifamily 1 District allows but less than the “RM-2” Multifamily 2 District allows.

The proposed rezoning to the “RM-2” Multifamily 2 District is not consistent with the adopted Future Land Use Map’s designation of the property as medium density residential nor is it consistent with the Southside ADP. It is staff’s opinion that the proposed rezoning, without appropriate design considerations, may negatively impact the surrounding residential properties, therefore, an increase in density is best considered via a Special Permit.

The use is consistent with the Comprehensive Plan (albeit a modest increase in density), and taking into account the proposed Special Permit conditions, the use is compatible with surrounding uses. The property being rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed amendment and does not substantially adversely affect adjacent uses.

The applicant is agreeable with the Staff Recommendation. The applicant takes issue with the Planning Commission’s change to Condition #4; therefore, he is opposed to the Planning Commission’s Recommendation. The applicant requests that balconies on the northern most buildings rather than on all buildings be prohibited from facing single-family development.

ALTERNATIVES:

1. Approve Staff’s Recommendation (“RM-1/SP”)
2. Approve Planning Commission’s Recommendation (“RM-1/SP” with the modified Condition #4)
3. Approve the original request to “RM-2” Multifamily 2 District (requires ¾ vote).
4. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southside Area Development Plan and is not consistent with the adopted Future Land Use Plan, which slates the property for medium density residential uses.

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:

- Ordinance – Planning Commission’s Recommendation
- Ordinance – Staff Recommendation
- Ordinance – RM-2 (Original Request)
- Presentation - Aerial Map
- Planning Commission Final Report