



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of August 11, 2015
Second Reading for the City Council Meeting of August 18, 2015

DATE: July 21, 2015

TO: Ronald L. Olson, City Manager

FROM: Dan M. Grimsbo, P.E., Director, Development Services Department
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**Public Hearing and First Reading for Property at
3902 Acushnet Drive**

CAPTION:

Case No. 0715-02 Andrea Trevino and Jesus Trevino, dba Southside Paint & Body, LLC and Liliot, LLC: A change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan from commercial to light industrial uses. The property to be rezoned is described as Lots 8, 11 and 12, Block 7, Saratoga Weber Plaza, located along the north side of Acushnet Drive between Jefferson Road and Weber Road (FM 43).

PURPOSE:

The purpose of this item is to allow for the expansion of an existing heavy vehicle service use. The applicant owns three lots, two are zoned "CG-2" General Commercial District and one is zoned "CG-2/SP" General Commercial with a Special Permit. The applicant is requesting that all three lots be re-zoned to "IL" Light Industrial District.

RECOMMENDATION:

Planning Commission Recommendation (July 15, 2015):

Approval of the change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District.

Staff Recommendation: Denial of the change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant has an existing automobile paint and body business and purchased the immediately adjacent vacant lot and a site previously developed and operated as an automotive repair facility for the purpose of expanding.

The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the "IL" Light Industrial District is not consistent with the Future Land Use Plan's designation of the property as commercial and industrial uses would negatively impact the multi-family uses located to the south of the subject property. A rezoning to the "IL" Light Industrial District would permit any use currently listed as a permitted use in the "IL" Light Industrial District to occur on the subject lots. Staff acknowledges there are several industrial uses to the west and southwest of the subject properties, but staff believes the Light Industrial District should not be expanded closer toward Weber Road. In the Land Use Statement, the applicant indicated a preference for an "IL" Light Industrial District as opposed to a recommendation by Staff for a Special Permit. The applicant does not want to be hindered by a time limit imposed by a Special Permit.

ALTERNATIVES:

1. Approve the request.
2. 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 (ADP) and is not consistent with elements of the Comprehensive Plan.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

Operating

Revenue

Capital

Not applicable

Fiscal Year: 2014-2015	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 Report