

STAFF REPORT

Case No. 0415-07

HTE No. 15-10000020

Planning Commission Hearing Date: April 22, 2015

Applicant & Legal Description	Applicant/Representative: Wayne Lundquist Owner: Staples Development, LLC Legal Description/Location: Being 15.125 acres out of a portion of Lots 13 and 14, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, located along the north side of Timbergate Drive approximately 1,300 feet east of South Staples Street.			
Zoning Request	From: "RS-6" Single-Family 6 District To: "RM-1" Multifamily 1 District Area: 15.125 acres Purpose of Request: To allow future multifamily development.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	Site	"RS-6" Single-Family	Vacant	Low Density Residential
	North	"RS-6" Single-Family	Low Density Residential	Low Density Residential
	South	"RM-1" Multifamily	Medium Density Residential	Medium Density Residential
	East	"RS-6" Single-Family	Low Density Residential	Low Density Residential
	West	"RM-1" Multifamily	Medium Density Residential	Medium Density Residential
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "RM-1" Multifamily 1 District remains inconsistent with the adopted Future Land Use Plan. A modification to the plan for multi-family could be supported as an extension to the multi-family districts located to the west and south of the subject property. Map No.: 044033 Zoning Violations: N/A			

Transportation	Transportation and Circulation: The subject property has direct access to Timbergate Drive to the south and will have access to Patti Drive to the north. Both streets are identified as collectors, which provide direct access to arterial roads but primarily are intended to provide internal neighborhood circulation and property access. This type of street classification may serve low-density housing to medium-density housing, schools, churches and other uses with similar traffic-generating characteristics. The subject property has approximately 853 feet of street frontage along Timbergate Drive, which is a “C-3” Primary Collector. The Master Transportation Plan requires the subject property to build an extension of Patti Drive – a “C1” Minor Residential Collector to intersect with Timbergate Drive. The extension of Patti Drive is approximately 805 feet requiring 60 feet of right-of-way, which will be required at the time the property is platted. The developer of the subject property will be required to pay pro-rata fees for the Timbergate Drive road improvements, which will be assessed and collected during the platting process.				
	Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section
	Timbergate Drive	“C-3” Primary Collector	75’ ROW 50’ paved	60’ ROW 40’ paved	N/A
	Patti Drive	“C-1” Minor Residential Collector	60’ ROW 40’ paved	N/A	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District to allow for future multi-family development. The “RS-6” District allows for single-family detached homes, group homes with six or fewer residents, schools, parks and churches. It does not allow multi-family residential uses. The “RM-1” District allows for single-family homes, duplexes, townhouses, apartments, cottage houses, group home, schools, parks and churches, which is a suitable district to allow the proposed use of an apartment complex. The “RM-1” District supports a maximum density of 22 dwelling units per acre compared to the current zoning “RS-6” District supporting 5 dwelling units per acre.

Development Plan: The applicant has not provided specific development plans for this property other than to request the zoning needed to build an apartment complex.

Existing Land Uses & Zoning: The current use of the property is vacant. North and east of the subject property are single-family dwellings zoned “RS-6” Single Family 6 District. South of the subject property is The Mirador – a multi-family retirement community. West of the subject property is a new apartment complex called the Springs at Corpus Christi. Both properties are zoned “RM-1” Multifamily 1 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 Consistency:

The Comprehensive Plan and the Southside Area Development Plan (ADP) slate the subject property for low density residential uses. The proposed change of zoning of the 15.125-acre tract of land to the “RM-1” Multifamily 1 District is not consistent with the adopted Future Land Use Map, but meets other criteria of the Comprehensive Plan and ADP, such as:

- Encouraging infill development on vacant tracts within developed areas (*Comprehensive Plan, Residential Policy Statement F*),
- Locating medium-density residential development along a collector street with convenient access to an arterial street (*Comprehensive Plan, Residential Policy Statement H*),
- Providing for a compatible configuration of activities with emphasis on accommodation of existing zoning patterns and the protection of low-density residential activities from incompatible activities (*Southside ADP Policy Statement B.1*),
- Buffering high-intensity commercial areas from low-density residential areas through the existence of roads, public/institutional buildings, open space, scale of designs, and transitional land uses (*Southside ADP Policy Statement B.6*), and
- Discouraging new high-intensity commercial developments from locating directly adjacent to low-intensity residential areas without an adequate transition or buffer (*Southside ADP Policy Statement B.7*).

An extension and improvement of infrastructure is required for the subject property to be developed. Those plans will be reviewed and must be approved prior to any construction.

Plat Status: The subject property is platted.

Department Comments:

1. A ‘Type B’ Buffer Yard is required between the subject property and the RS-6 zoning districts to the east and north.
2. Applicant has offered to place a 50-foot buffered landscape yard between the property to the north and east to provide additional buffering.
3. Setbacks will be required of the proposed apartment development. No multi-family or non-residential structure shall be located any nearer to a property line of a single-family or two-family use than a horizontal distance of twice the vertical height of the structure, with exception to the first 12 feet in height, per UDC Article 4.2.8.
4. The Zoning Map Amendment is consistent with elements of the Comprehensive Plan.
5. It is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding neighborhood, which consists of two multi-family apartment complexes with a third currently under construction on this section of Timbergate Drive.

6. The subject property is suitable for the uses permitted by the “RM-1” zoning district to be applied by the requested amendment.
7. The zoning map amendment does not have a negative impact on the surrounding neighborhood because it conforms with the land uses to the west and south. A buffer yard and additional setback requirements will be required at the northern and eastern boundaries of the subject property where it is adjacent to a single-family neighborhood.

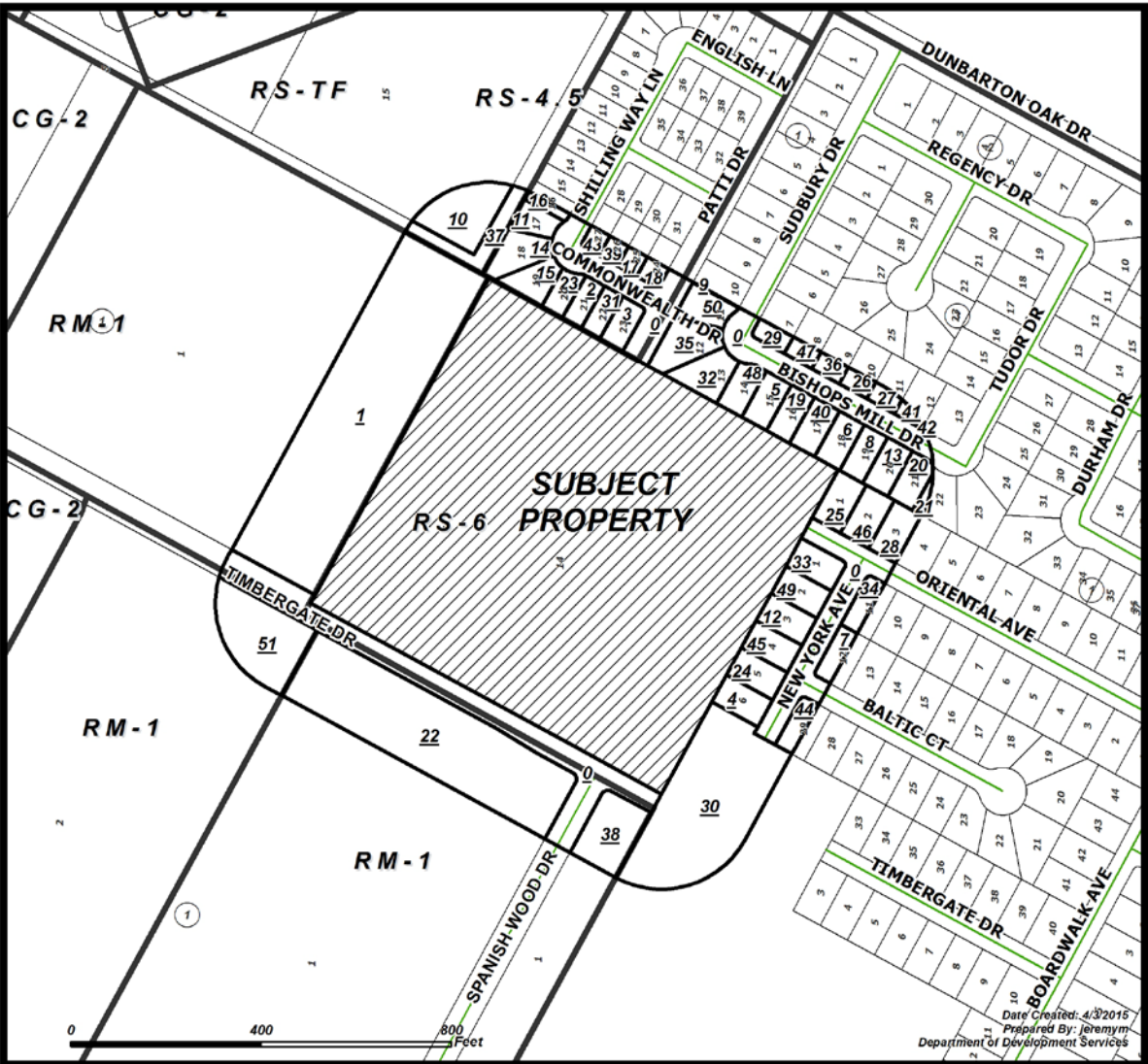
Staff Recommendation:

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District.

Public Notification	Number of Notices Mailed – 53 within 200-foot notification area 11 outside notification area
	<u>As of April 15, 2015:</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:

1. Location Map (Existing Zoning & Notice Area)



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Zoning & Notice Area

RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF Two-Family
CR-1 Resort Commercial	RS-15 Single-Family 15
CG-1 General Commercial	RE Residential Estate
CG-2 General Commercial	RS-TH Townhouse
CI Intensive Commercial	SP Special Permit
CBD Downtown Commercial	RV Recreational Vehicle Park
CR-3 Resort Commercial	RMH Manufactured Home
FR Farm Rural	
H Historic Overlay	
BP Business Park	

 Subject Property with 200' buffer
 Owners in favor
 Owners in opposition
4 Owners within 200' listed on attached ownership table

