



AGENDA MEMORANDUM
for the City Council Meeting of July 10, 2012

DATE: June 7, 2012
TO: Ronald L. Olson, City Manager
FROM: Mark Van Vleck, Interim Director, Department of Development Services
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PUBLIC HEARING – CHANGE OF ZONING
Saratoga Airline, LLC (Case No. 0512-01)
From “CG-1” General Commercial District to “CN-1” Neighborhood Commercial District
Property Address: 2921 Airline Road

CAPTION:

PUBLIC HEARING – ZONING

Case No. 0512-01: Saratoga Airline, LLC: A change of zoning from the “CG-1” General Commercial District to the “CN-1” Neighborhood Commercial District. The property to be rezoned is described as being 2.00 acres of land, more or less, out of Lot 3, Block 14, Brighton Village Unit 2.

RECOMMENDATION:

Planning Commission & Staff Recommendation (May 23, 2012):

Approval of the change of zoning from the “CG-1” General Commercial District to the “CN-1” Neighborhood Commercial District.

BACKGROUND AND FINDINGS:

The applicant is requesting a zoning change from the “CG-1” General Commercial District to the “CN-1” Neighborhood Commercial District to allow for the development of a 230-unit apartment complex on 9.5 acres because the “CG-1” District specifically prohibits residential uses. The site is located between Airline Rd. and Charter Ln. about 500 feet south of Saratoga Blvd.

The same zoning change request from the “CG-1” District to the “CN-1” District was approved in early 2011 on the majority of the project site (7.5 acres) when a different developer was looking to build senior-living apartments. The current developer is also proposing apartments but needs the additional two acres fronting on Airline Rd. to make the project feasible.

The proposed apartment complex would have seventy-eight (78) garage units, a pool, leasing office and clubhouse for a total of twenty-three (23) structures on 9.5 acres and a density of twenty-four (24) dwelling units per acre. The “CN-1” District limits the density to thirty-seven (37)

dwelling units per acre. The structures could not exceed thirty-five (35) feet in height.

The subject property has frontage on Airline Rd., Downing St., and Charter Ln. The applicant proposes driveway access on Airline Rd. and Charter Ln. As a protection to the nearby residents, the apartment complex would not be allowed a driveway on Downing St. across from the single-family zoning district.

With its limitations on higher intensity commercial uses, the requested "CN-1" Neighborhood Commercial District would provide a more appropriate transition to the surrounding single-family neighborhood to the south than would the existing "CG-1" General Commercial District.

ALTERNATIVES:

1. Approve other intermediate zoning classifications or a Special Permit.
2. Deny the applicant's request.

OTHER CONSIDERATIONS: N/A

CONFORMITY TO CITY POLICY:

The proposed change of zoning to the "CN-1" Neighborhood Commercial District would be consistent with the adopted Comprehensive Plan, Southside Area Development Plan, and Future Land Use Plan, which slate the subject property for commercial uses.

EMERGENCY / NON-EMERGENCY: Emergency

DEPARTMENTAL CLEARANCES: N/A

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:

1. Zoning Report with Attachments
2. Ordinance with Exhibits