



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of September 24, 2013
Second Reading Ordinance for the City Council Meeting of October 8, 2013

DATE: September 3, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Rezoning from Single-Family to Multifamily
For Hammond Jones Real Estate Development LLC
Property Address: 1309 Daly Drive and 1302 Woodlawn Drive**

CAPTION:

Case No. 0813-03 Hammond Jones Real Estate Development LLC: A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District. The property is described as being the south 24 feet of Lot 1, all of Lots 2-10, the north 33 feet of Lot 19, and all of Lots 20-24, Block 2, Woodlawn Estates, located on the south side of McArdle Road between Woodlawn and Daly Drives.

PURPOSE:

The purpose of this item is to rezone the subject property to allow construction of an apartment complex.

RECOMMENDATION:

Planning Commission and Staff Recommendation (August 28, 2013):

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

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the applicant is requesting to rezone the subject property from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District to allow construction of a 100-unit apartment complex at a density of 15.4 dwelling units per acre. The "RM-1" District will allow a maximum density of 22 dwelling units per acre.

The Southeast Area Development Plan Goals and Objectives calls for protecting the predominantly stable residential neighborhoods and to promote the efficient development of underutilized and remaining vacant land in the Area. The proposed project would occupy lots that have remained undeveloped since they were platted in 1946. The City encourages the development of vacant lots where public infrastructure already exists. Additionally, medium density residential uses such as the proposed apartment complex would serve as a transition from the high intensity commercial uses along Daly and South Padre Island Drives and the single-family neighborhood to the east. Therefore, the proposed apartment land use would help protect the single-family neighborhoods from commercial nuisances.

Opposition to this rezoning currently stands at 27.84% of the land within the 200-foot notification area. A summary of public comments is included.

ALTERNATIVES:

Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southeast Area Development Plan and the proposed rezoning is partially consistent with the City's adopted Future Land Use Plan. The Future Land Use Plan designates the 2.4 acres of the 6.5-acre tract of land along Woodlawn Drive for low-density residential uses, which means less than eight dwelling units per acre. Therefore, the proposed rezoning to the "RM-1" Multifamily 1 District on the 2.4 acres fronting Woodlawn Drive is not consistent with the adopted Future Land Use Plan. However, the Future Land Use Plan designates 4.1 acres of the 6.5-acre tract of land along Daly Drive for medium-density residential, which means anywhere from 8 to 22 dwelling units per acre. Therefore, the proposed rezoning to the "RM-1" Multifamily 1 District on the 4.1 acres fronting Daly Drive is consistent with the adopted Future Land Use Plan.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2013-2014	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:

Aerial Overview Map
Zoning Report with Attachments
Ordinance with Exhibits
Public Comment Summary