

STAFF REPORT

Case No.: 0414-03
 HTE No. 14-10000013

Planning Commission Hearing Date: April 9, 2014

Applicant & Legal Description	<p>Applicant/Owner: John O. Nicholson, III d/b/a Barton Street Pub Legal Description/Location: Being a 0.421-acre tract of land out of Lots 7 and 8, Block H, Flour Bluff Estates, located at the southeast intersection of Mounts Drive and Melody Lane.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "RM-1" Multifamily 1 District Area: 0.421 acres Purpose of Request: To allow construction of two multifamily structures consisting of seven dwelling units total.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>		"RS-6" Single-Family 6	Medium Density Residential	Commercial
<i>North</i>		"RS-6" Single-Family 6	Medium Density Residential	Low Density Residential
<i>South</i>		"CG-2" General Commercial	Vacant	Commercial
<i>East</i>		"RS-6" Single-Family 6 & "CG-2" General Commercial	Commercial & Low Density Residential	Commercial
<i>West</i>		"CG-2" General Commercial & "RS-15" Single-Family 15	Vacant & Low Density Residential	Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Flour Bluff Area Development Plan (ADP) and is planned for commercial uses. The proposed change of zoning to the "RM-1" District is not consistent with the Future Land Use Plan. Map No.: 034032 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has access to Mounts Drive and Melody Lane, which are local residential streets. The subject property has indirect access to South Padre Island Drive (SH 358), which is an expressway/freeway, via Mounts Drive.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Mounts Dr.	Local Residential	50' ROW 24' paved	50' ROW 20' paved	Not Available
	Melody Ln.	Local Residential	50' ROW 24' paved	25' ROW 16' paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District to allow construction of two multifamily structures consisting of seven dwelling units total.

Development Plan: Currently, two single-family dwellings, a four-plex, and a three car garage exist on the property. The applicant plans to demolish the four-plex and the two single-family dwellings. The existing garage will remain on the property and have three dwelling units added onto the structure. A second building, consisting of four units, will be constructed on the site as well. All proposed structures will be one story and will consist of one-bedroom units. The development will be required to provide a minimum of 13 parking spaces for the seven 1-bedroom units. Access to Melody Lane will be prohibited and the only access point to the property shall be from Mounts Drive.

Existing Land Uses & Zoning: North of the subject property is a multifamily development zoned “RS-6” Single-Family 6 District. East of the subject property is a single-family dwelling and the parking lot of Barton Street Pub zoned “RS-6” Single-Family 6 District and “CG-2” General Commercial District. South of the subject property is vacant land zoned “CG-2” General Commercial District. West of the subject property is a single-family dwelling and vacant land zoned “RS-15” Single-Family 15 District and “CG-1” General Commercial District.

AICUZ: The subject property is **not** located in a Navy Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan (ADP) Consistency: The subject property is within the boundaries of the Flour Bluff ADP and the proposed rezoning is not consistent with the adopted Future Land Use Plan, which slates the property for commercial uses.

Department Comments:

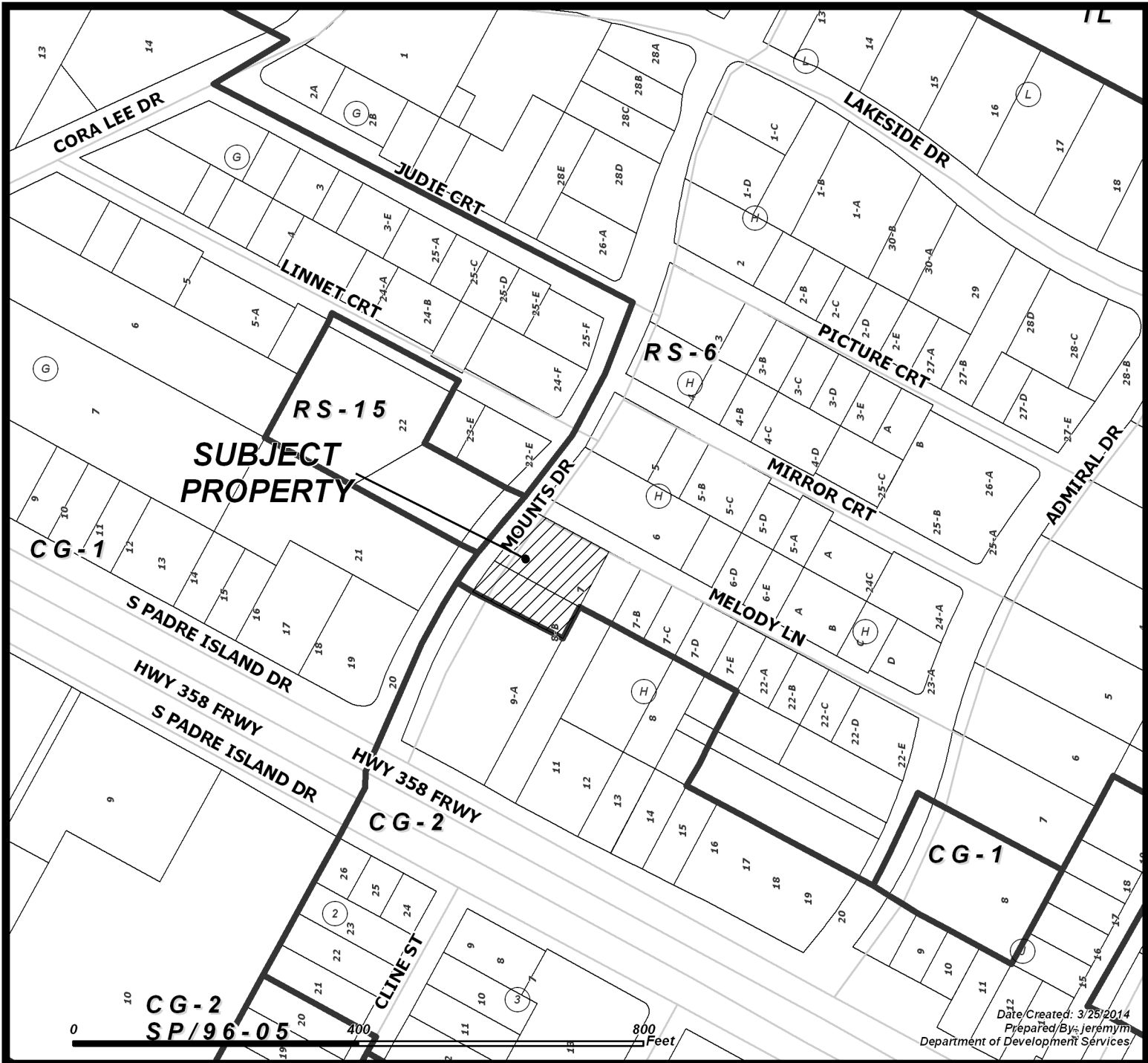
- Although inconsistent with the Future Land Use Plan, the proposed rezoning to the “RM-1” District would be an appropriate use at this location. The proposed rezoning is less intensive than a commercial use and would provide a transition from the commercial to the surrounding residential properties.
- The proposed rezoning would not negatively impact the surrounding properties and the property to be rezoned is suitable for multifamily uses. A buffer yard would be required to minimize the impact of commercial development on the adjacent single-family property.
- The proposed rezoning is compatible with the present zoning and conforming uses of nearby properties and to the character of the surrounding area.
- The use of the property would not change as a result of the rezoning. The use of the property is currently medium density residential, which is a non-conforming use in the “RS-6” District. A rezoning would bring the property into conformity with the Unified Development Code.

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 – 25 within 200-foot notification area; 2 outside notification area
	<u>As of April 2, 2014:</u>
	In Favor – 0 inside notification area; 0 outside notification area
	In Opposition – 0 inside notification area; 0 outside notification area
	For 0.00% in opposition.

Attachments: Location Map (Existing Zoning & Notice Area)
 Site Plan



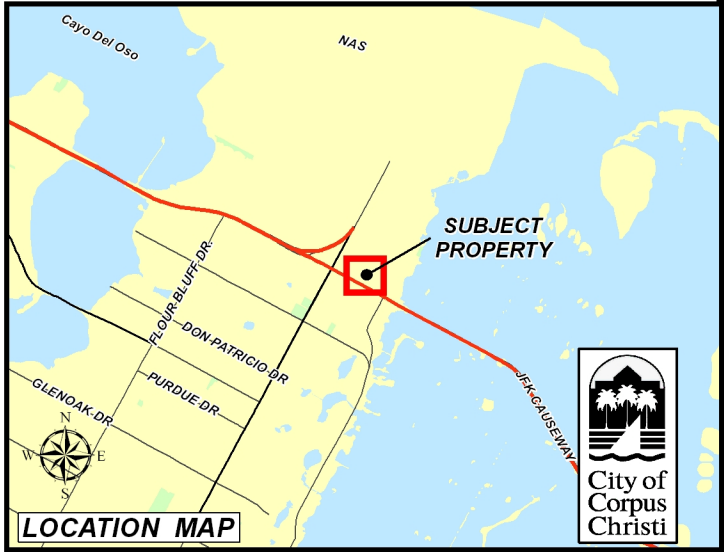
Date/created: 3/25/2014
 Prepared By: jeremy
 Department of Development Services

CASE: 0414-03

SUBJECT PROPERTY WITH ZONING

 Subject Property

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
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CBD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		



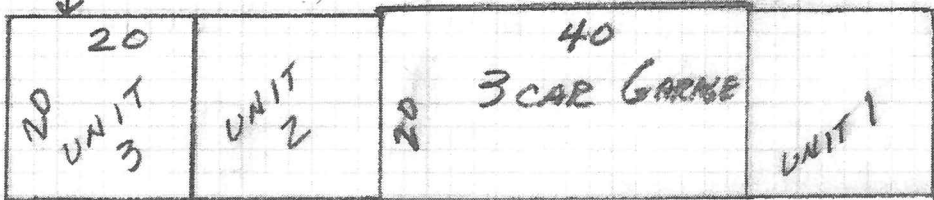
LOCATION MAP



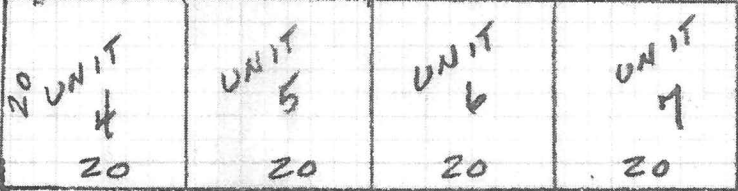
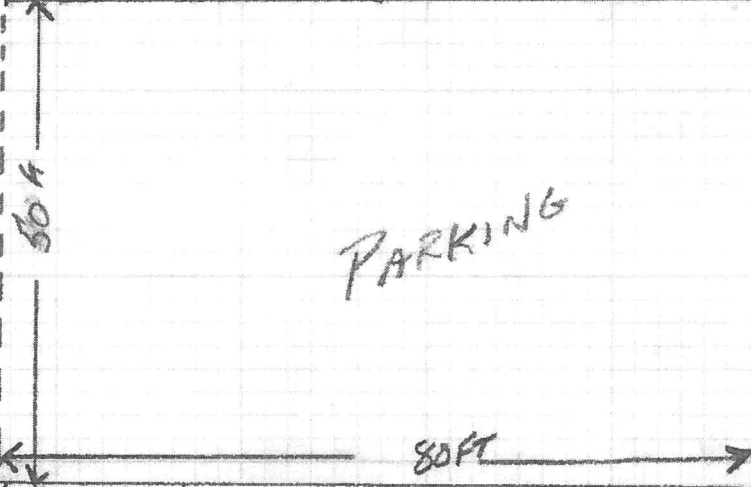
MELCODY

LANDSCAPE

10 FT 100 FT



PARKING



PARKING

MOUNTS

2