

CITY COUNCIL ZONING REPORT

Case No.: 0813-03
 HTE No. 13-10000031

Planning Commission Hearing Date: August 28, 2013

Applicant & Legal Description	<p>Applicant/Representative: Hammond Jones Real Estate Development LLC Owner: Allen Lovelace Moore and Blanche Davis Moore Foundation Legal Description/Location: 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.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "RM-1" Multifamily 1 District Area: 6.50 acres Purpose of Request: To allow construction of a 100-unit apartment complex.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	Site	"RS-6" Single-Family 6	Vacant	Low and Medium Density Residential
	North	"RS-6" Single-Family 6	Public/Semi-Public	Public/Semi-Public
	South	"CN-1" Neighborhood Commercial & "RS-6" Single-Family 6	Commercial & Low Density Residential	Commercial & Low Density Residential
	East	"CG-1" General Commercial & "RS-6/SP" Single-Family 6 with a Special Permit	Commercial	Commercial
	West	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southeast Area Development Plan and is planned for low and medium density residential uses. The proposed rezoning to the "RM-1" Multifamily 1 District is partially consistent with the adopted Future Land Use Plan. Map No.: 041035 Zoning Violations: None</p>			

Transportation

Transportation and Circulation: The subject property has 195 feet of frontage along the south side of McArdle Road, which is a “C3” Primary Collector street. The subject property also has 924 feet of frontage on Daly Drive and 528 feet of frontage on Woodlawn Drive, which are local residential streets. The subject property has access to South Padre Island Drive (SH 358) via Daly and Woodlawn Drives.

The applicant submitted a traffic generation calculation for the 2.364-acre portion of the subject property that is planned for low density residential uses. The calculation shows that changing the land use of the property to medium density residential would increase the peak hour weekday trips by 15 trips per day. The applicant was not required to submit a Traffic Impact Analysis because the increase in number of peak hour weekday trips did not exceed 501 trips.

The 2012 Bond Package includes a project to widen McArdle Road to a four-lane road between Nile Drive and Ennis Joslin Road. Construction is scheduled to begin in February 2014.

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	McArdle Road	“C3” Primary Collector	75’ ROW 50’ paved	65’ ROW 47’ paved	7,381 (2013 ADT)
	Woodlawn Drive	Local Residential	50’ ROW 28’ paved	50’ ROW 30’ paved	No Information available
	Daly Drive	Local Residential	50’ ROW 28’ paved	50’ ROW 28’ paved	No Information available

Staff Summary:

Requested Zoning: 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 allows a maximum density of 22 dwelling units per acre.

Development Plan: The applicant proposes to develop an apartment complex consisting of three three-story buildings resulting in a medium density residential use, which is defined as being less than or equal to 22 dwelling units per acre. The apartment complex would include amenities such as a swimming pool, clubhouse, outdoor sports court area, and sand volleyball court. All three buildings will have to comply with the 45-foot height limitation of the “RM-1” Multifamily 1 District and the required setback from single-family or two-family uses that is based on the height of the apartment buildings. The project is anticipated for completion by July 2015.

Existing Land Uses & Zoning: The subject property is currently zoned “RS-6” Single-Family 6 District and contains about 14 undeveloped single-family lots. Located north of the subject property is an undeveloped single-family lot and Haas Middle School, both of which are zoned “RS-6” Single-Family 6 District. To the east of the subject property on Daly Drive is a car dealership extending from McArdle Road to South Padre Island Drive (SH 358) and zoned “CG-1” General Commercial District and “RS-6/SP” Single-Family 6 District with a Special Permit. To the south of the subject property is a shopping center fronting South Padre Island Drive (SH 358) that is zoned “CN-1” Commercial Neighborhood District. Also to the south of the subject property and along both sides of Woodlawn Drive are single-family dwellings zoned “RS-6” Single-Family 6 District. West of the subject property at the southwest corner of Woodlawn Drive and McArdle Road is a 0.4-acre lot zoned “RM-2” Multifamily 2 District and occupied by a Masonic lodge.

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 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.

Plat Status: The subject property is currently platted as multiple 0.4-acre single-family lots. A replat will be required prior to construction of the proposed apartment complex.

Department Comments:

- The proposed rezoning is partially consistent with the adopted Future Land Use Plan. The portion of the subject property fronting Daly Drive is planned for medium density residential uses (or apartment uses) and the portion of the subject property fronting Woodlawn Drive is planned for low density residential uses. The proposed rezoning would result in a reasonable expansion of the medium density residential uses planned along Daly Drive.
- The proposed rezoning is compatible with the present zoning and would not negatively impact the surrounding properties.
- 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. This type of land use transition helps to protect single-family neighborhoods from commercial encroachment.

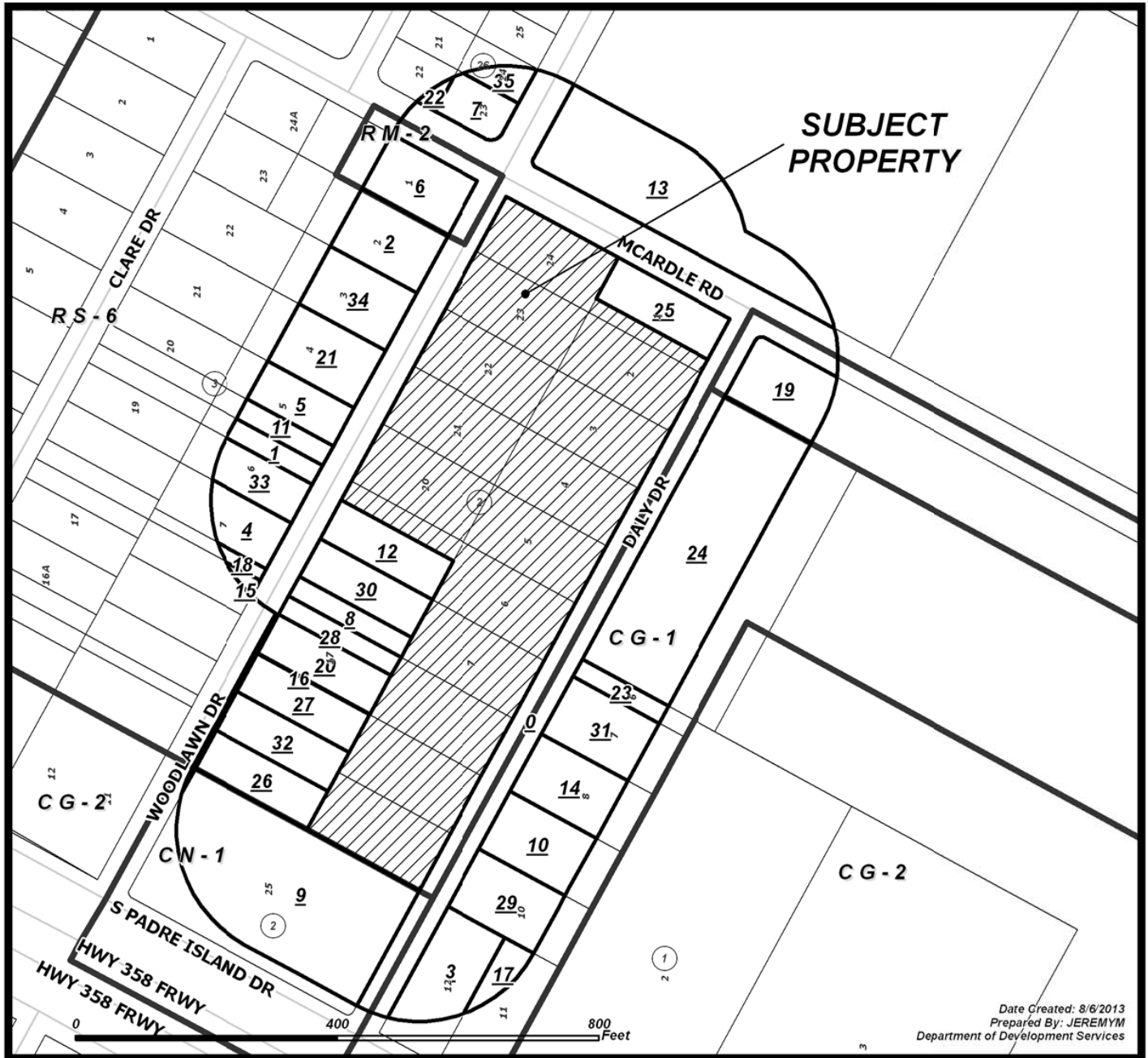
Planning Commission and Staff Recommendation (September 24, 2013):

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

Public Notification	<p>Number of Notices Mailed – 35 within 200’ notification area; 4 outside notification area</p> <p><u>As of September 3, 2013:</u></p> <p>In Favor – 0 (inside notification area); 0 (outside notification area)</p> <p>In Opposition – 19 (inside notification area); 1 (outside notification area)</p> <p>Totaling 27.84% of the land within the 200-foot notification area in opposition. This case requires seven Councilmembers to vote in favor of the rezoning in order to approve it.</p>
----------------------------	--

Attachments:

- A. Location Map (with Existing Zoning & Notice Area)
- B. Future Land Use Map
- C. Site Plan

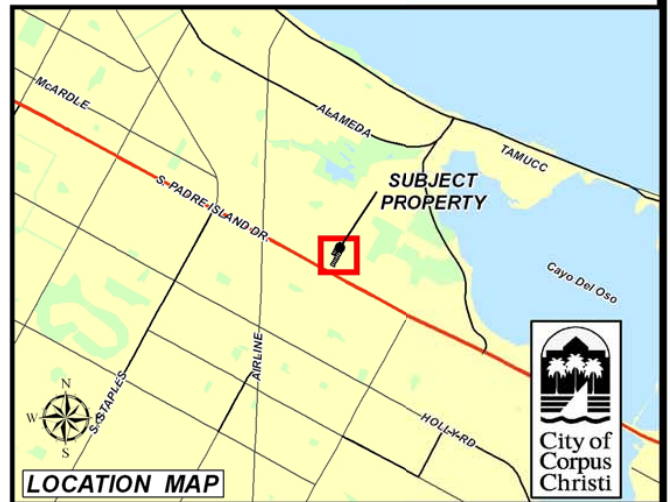


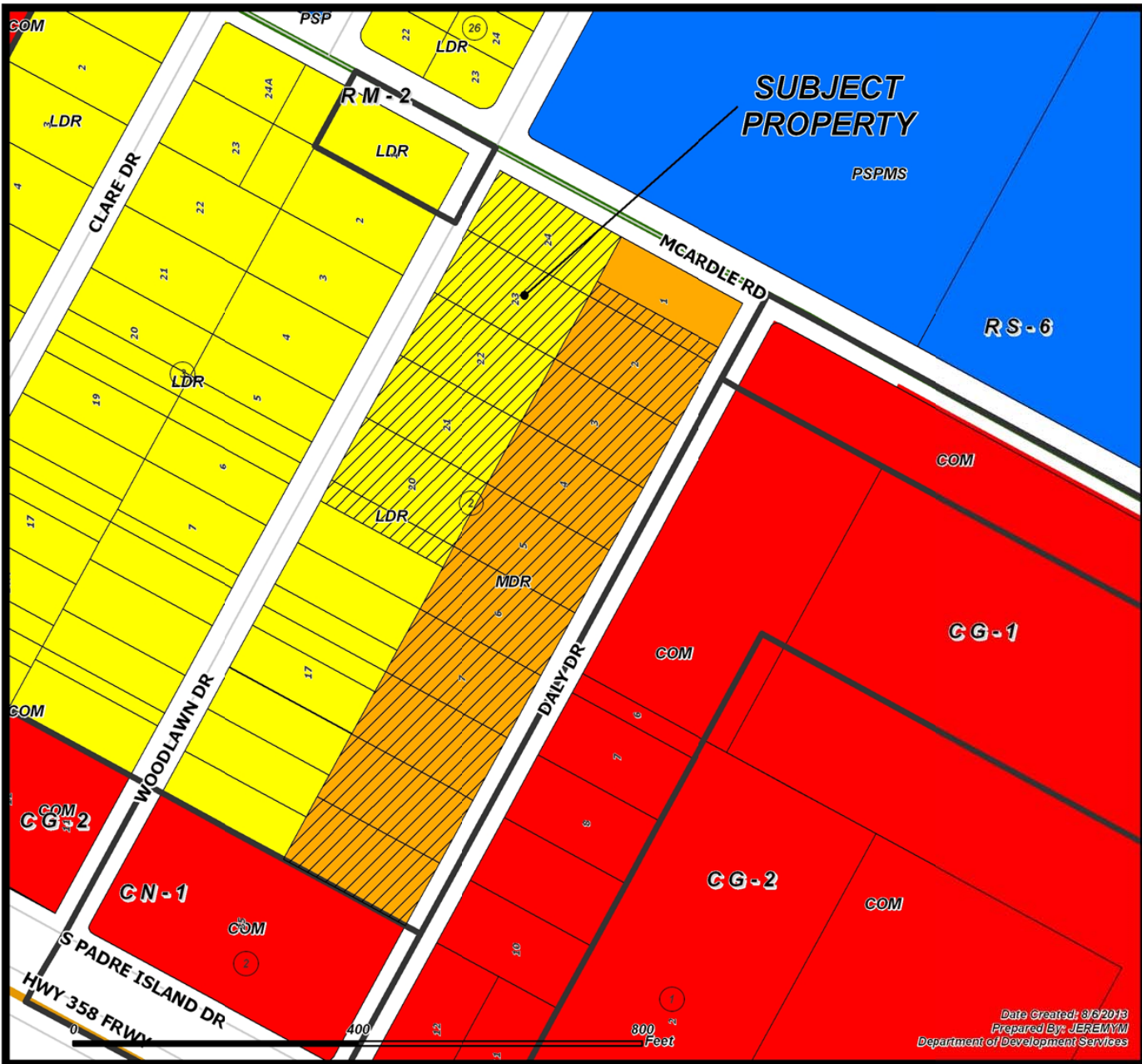
Date Created: 8/6/2013
 Prepared By: JEREMYM
 Department of Development Services

CASE: 0813-03 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
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		

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





Date Created: 9/6/2018
 Prepared By: JEREMY M
 Department of Development Services

CASE: 0813-03 FUTURE LAND USE

- | | |
|--------------------------|--------------------------------|
| Agricultural/Rural - AR | Tourist - TOR |
| Estate Residential - ER | Research/Business Park - RBP |
| Low Density Res. - LDR | Light Industrial - LI |
| Med Density Res. - MDR | Heavy Industrial - HI |
| High Density Res. - HDR | Public Semi-Public - PSP |
| Mobile Home - MH | Park |
| Vacant - VAC | Drainage Corridor - DC |
| Professional Office - PO | Dredge Placement - DP |
| Commercial - COM | Water |
| | Conservation/Preservation - CP |

- Transportation Plan**
- | | |
|----------------------|----------------------|
| Existing Expressways | Proposed Expressways |
| Existing Arterials | Proposed Arterials |
| Existing Collectors | Proposed Collectors |
| Existing Parkway | Proposed Parkway |
| Existing Railroad | Proposed Railroad |

Map Scale: 1:2,400

