

**COUNCIL ACTION ITEM
ROUTING /APPROVAL FORM**

Future Agenda Item / Council Meeting Date:

March 27, 2012

Action Item - Council Meeting Date:

April 10, 2012

Brief Description: Public Hearing to Consider a Change of Zoning (Case No. 0212-03)

FINANCE

Submit to: Evelyn Desrosiers, ext. 3613

**** Please route to Olga Plomarity, Budget Office, Ext. 3622 ****

BUDGET

Submit to: Olga Plomarity, ext. 3622

APPROVED: _____

Eddie Houlihan, Asst. Director of Management and Budget

**** Please route to Rudy Garza, ACM****

ACM

Submit to: Rudy Garza (ACM)

Due on: 3/8/2012 by 2:00 p.m.

APPROVED: _____

Assistant City Manager

****Please route to Esther Velazquez, CM's Office, ext. 3220****

City Manager

Submit to: Rebecca Huerta c/o Esther Velazquez (Asst. to CM) **Due on:** 3/15/2012 by 2:00 p.m.

APPROVED: _____

City Manager

Department Contact Information

Preparer: Miguel S. Saldaña, AICP

Alternate:

Jennifer Ramirez

Phone: 826-3568

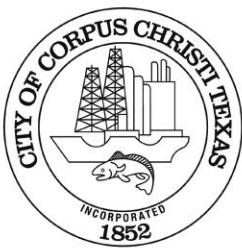
Phone:

826-3585

Please indicate type of item:

**PLACEMENT ON AGENDA
TYPE OF ACTION ITEM**

**PUBLIC HEARING
ORDINANCE, Emergency**



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

DATE: 3/6/2012

TO: Ronald L. Olson, City Manager

FROM: Stephen Draper, Director/Building Official, Development Services
StephenD@cctexas.com
(361) 826-3246

PUBLIC HEARING – CHANGE OF ZONING
Encore Multi-Family, LLC (Case No. 0212-03)
Change from “CG- 1” General Commercial District to “RM-2” Multifamily 2 District
6009 Holly Road

CAPTION:

PUBLIC HEARING – ZONING

Case No. 0212-03: Encore Multi-Family, LLC: The applicant is requesting a change of zoning from “CG- 1” General Commercial District to “RM-2” Multifamily 2 District, resulting in a change of future land use from commercial to medium density residential. The property to be rezoned is 6.80 Acres out of Lots 5-C and 5-D, Lokey Subdivision and Lot 6, Section 12, Flour Bluff and Encinal Farm and Garden Tracts, located along the west side of Nodding Pines Drive between Holly Road and Golden Canyon Drive.

Planning Commission and Staff’s Recommendation (February 15, 2012): Approval of the change of zoning to the “RM-2” Multifamily 2 District.

BACKGROUND AND FINDINGS:

- This rezoning request from “CG-1” to “RM-2” is not consistent with the adopted future land use plan or Southside Area Development Plan. Despite the inconsistency Development Services staff supports this rezoning request as it will contribute to the overall and ongoing in fill development presently occurring in this area of town.
- Although the requested “RM-2” Multifamily 2 District is inconsistent with the adopted Southside Area Development Plan or Future Land Use Plan, both of which identify the area as remaining commercial development, property east of this tract was rezoned within the past five years to allow for the development of a similar apartment community which has enhanced the area become a successful multifamily apartment community. Property immediately west of this site has operated for years as a mini-storage facility and with commercial zoning remaining along Holly Road this proposed rezoning will act as a buffer between the single family residential use to the south and the higher density land uses west and north of the site. Necessary infrastructure exists to serve the proposed higher density uses but private water service will need to be extended and looped. Additional traffic generated by this development will have minimal to no impact on the residential neighborhoods to the south as most of the apartment residents will empty onto Nodding Pines Drive in route to Holly Road.

ALTERNATIVES: Denial of the requested change of zoning to the “RM-2” Multi-Family District.

OTHER CONSIDERATIONS: N/A

CONFORMITY TO CITY POLICY:

The Comprehensive Plan and the Southside Area Development Plan (ADP) slate the subject property as continued commercial use. The proposed change in zoning is not consistent with the Southside ADP or the adopted Future Land Use Map of the Comprehensive Plan. The Comprehensive Plan and Southside ADP both encourage continued multi-family development including where adjacent to residential properties. This may be achieved by employing methods which minimize and mitigate the impacts of such uses where adjacent to low density residential uses through the employment of side yard buffers and installation of additional landscape areas. The request to the “RM-2” Multifamily 2 District would not be an expansion of any adjacent or existing zoning district but would complement the newly developed apartment community east of and across Nodding Pines Drive. This proposed development would assist in meeting the ever expanding demand for leasable residential space especially in the south side area which has experienced a major population growth and infill of historically vacant property over the past 20 years.

EMERGENCY / NON-EMERGENCY: Emergency

DEPARTMENTAL CLEARANCES: N/A

FINANCIAL IMPACT: 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:

RECOMMENDATION:

Planning Commission and Staff's Recommendation (February 15, 2012): Approval of the change of zoning to the “RM-2” Multifamily 2 District.

LIST OF SUPPORTING DOCUMENTS:

- Zoning Report
- Ordinance

Approvals: Deborah Brown, Assistant City Attorney
Rudy Garza, Assistant City Manager
Toby Futrell, Interim Assistant City Manager