

ZONING REPORT

Case No.: 0212-03

Planning Commission Hearing Date: February 15, 2012

Applicant & Legal Description	Applicant: Encore Multi-Family, LLC Owner: Paramount Elite Development, LLC Representative: Urban Engineering Legal Description/Location: Being 6.80 Acres out of Lots 5-C & 5-D, Lokey Subdivision & out of Lot 6, Section 12, Flour Bluff & Encinal Farm & Garden Tracts, located along the west side of Nodding Pines Drive between Holly Road and Golden Canyon Drive.			
Zoning Request	From: "CG-1" General Commercial District To: "RM-2" Multifamily 2 District Area: 6.80 Acres Purpose of Request: To allow for the construction of an apartment house community consisting of 148 units with a common community club house and leasing office.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CG-1" General Commercial	Vacant	Commercial
	<i>North</i>	"CG-1" General Commercial	Vacant	Commercial
	<i>South</i>	"RS-6" Single-family 6	Low Density Residential	Low Density Residential
	<i>East</i>	"RM-1" Multi-family & "CG-2" General Commercial	Medium Density Residential	Commercial
	<i>West</i>	"IL" Light Industrial	Mini-Storage	Light Industrial
ADP, Map & Violations	Area Development Plan: The subject property is located in the Southside Area Development Plan (ADP) and is planned for commercial. The proposed change in zoning to the "RM-2" Multifamily 2 District is not consistent with the Southside ADP or the adopted Future Land Use Map. Map No.: 042,034 Zoning Violations: None			

Staff's Summary:

- Requested Zoning:** To allow for the construction of an apartment house community consisting of 148 units with a community club house and leasing office. Office hours will be from 8:00 AM to 5:30 PM. This project will require 296 parking spaces based on the UDC parking space requirement illustrated in Article 7.2.2 Table 7.2.2B Parking Ratios.
- Transportation and Circulation:** The subject property will have direct driveway access on to Nodding Pines Drive between Holly Road and Golden Canyon Drive. Nodding Pines Drive is a 60-foot collector serving the neighborhoods south of Holly Road and is the first north/south collector west of Airline. Holly Road is identified as an "A1" Arterial with an existing 95-foot right-of-way consisting of 4-travel lanes and a continuous left hand turning lane.

Street R.O.W.	Street	Existing R.O.W. and Paved Section	Planned R.O.W. and Paved Section	Urban Trans. Plan Type	Traffic Volume 2007
	Nodding Pines Drive	60' R.O.W., 38' paved	60' R.O.W., 38' paved	Local	N/A
	Holly Raod	95' R.O.W., 62' paved	95' R.O.W., 62' paved	A1 Arterial	15,158

- **Relationship to Smart Growth:**

While continuing to utilize existing infrastructure the proposed rezoning would have minimal impact with regards to smart growth. The proposed rezoning while not compliant with the long range development plan does tend to follow current redevelopment trends in and around this immediate area. The project provides additional housing opportunities and expands on the idea of a “walkable” community. With the variety and availability of multi-mode transportation, this development will not only serve the immediate neighborhood but will also serve the entire south side community by offering additional housing opportunities to help meet the continuously expanding demand for housing in this growing community.

- **Comprehensive Plan & Southside Area Development Plan Consistency:**

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.

Plat Status: Subject property is not platted.

Department Comments:

- Representatives from Encore have met with the residential property owners immediately adjacent to the proposed complex and have explained the proposed development in detail in an effort to gain an understanding of what concerns the residential property owners might have.
- 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.
- If the applicant is granted a change of zoning from a commercial to the multifamily district, the Unified Development Code requires a complete landscape plan including a Zoning District Buffer Yard between the residential and industrial zoned properties. The Zoning District Buffer Yard is specifically detailed in Section 7.9.5. Table A, Required Zoning District Buffer Yard (New Development). This section will also require the continued maintenance of the existing solid screening fence adjacent to industrially used and zoned properties.

Staff Analysis:

- 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 reaming 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.

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

Pending. Comments Received	Number of Notices Mailed Total – 24 within 200’ notification area; 0 outside notification area	
	Favor	– 5 (inside notification area); 0 (outside notification area)
	Opposition	– 0 (inside notification area); 0 (outside notification area)
	For 0.0% As of February 15, 2012	

Attachments:

1. Site – Existing Zoning, Notice Area, & Ownership map