

ZONING REPORT

Case No.: 0812-01

HTE No. 12-1000023

Planning Commission Hearing Date: August 1, 2012

Applicant & Legal Description	<p>Applicant/Owner: Steven Bright / Calvin F. Bright Representative: Urban Engineering Legal Description/Location: Island Fairway Estates, Block 34, Lot 21, located along the southwest corner of Commodore's Drive and Aquarius Street.</p>				
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "CR-2" Resort Commercial District Area: 1.18 acres Purpose of Request: To allow for future development of commercial uses.</p>				
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use	
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Low Density Residential	
	<i>North</i>	"RS-6" Single-Family 6	Vacant & Public Semi-Public	Low Density Residential & Park	
	<i>South</i>	"CR-2" Resort Commercial	Park	Commercial	
	<i>East</i>	"RM-3" Multifamily 3	Vacant	Low Density Residential	
	<i>West</i>	"CR-2" Resort Commercial	Vacant & Park	Commercial & Low Density Residential	
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the Mustang-Padre Island Area Development Plan (ADP) and is planned for future low density residential uses. The proposed change of zoning to the "CR-2" Resort Commercial District is not consistent with the adopted Future Land Use Plan. Map No.: 029027 and 030027 Zoning Violations: None</p>				
Transportation	<p>Transportation and Circulation: The subject property has 295 feet of frontage along the south side of Aquarius Street, which is a "C1" Minor Residential Collector Street, and has 120 feet of frontage along the west side of Commodore's Drive, which is a "C1" Minor Residential Collector Street.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Commodore's Dr.	"C1" Minor Residential Collector	60' ROW, 40' paved	120' ROW, 100' paved	Not Available
	Aquarius St.	"C1" Minor Residential Collector	60' ROW, 40' paved	60' ROW, 40' 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 “CR-2” Resort Commercial District to allow for future development of commercial uses. The subject property is adjacent to the proposed Schlitterbahn Water Park, which was recently rezoned to the “CR-2” District.

Applicant’s Development Plan: At this time the applicant does not have a specific development plan for the subject property.

Existing Land Uses & Zoning: Located to the north of the subject property is an undeveloped single-family subdivision and a fire station zoned “RS-6” Single Family District. Located to the northeast of the subject property is a 38-unit townhouse development (The Marquesas). To the west of the subject property is vacant land and the Padre Isles Golf Course zoned “CR-2” Resort Commercial District. The golf course is also located to the south of the subject property and was recently rezoned to the “CR-2” District to allow for the proposed Schlitterbahn Water Park and associated developments. To the east of the subject property is a vacant lot and a condominium building zoned “RM-3” Multifamily 3 District.

AICUZ: The subject property is not located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan (ADP) Consistency: The proposed change of zoning is not consistent with the adopted Future Land Use Plan, which slates the subject property for low-density residential uses. With the rezoning and proposed development of the Schlitterbahn Water Park and associated tourist uses, rezoning the subject property to a multifamily district would be a more appropriate land use than single-family residential. Additionally, the following pertinent elements of the Comprehensive Plan and Mustang-Padre Island Area Development Plan (ADP) should be considered:

- Tourist-oriented businesses and developments should be encouraged, such as hotels. (ADP Land Use Policy B.2)
- Protect residential neighborhoods from the encroachment of nonresidential uses unless the negative effects of the nonresidential uses are significantly mitigated. (ADP Land Use Policy B.13)
- Infill development within developed areas should be encouraged. (Residential Land Use Policy H)
- High-density residential development should be located with direct access to an arterial street. (Residential Land Use Policy E)
- Expansion of commercial uses into residential areas may be permitted only if the expansion maintains or improves the residential desirability of the impacted neighborhood. (Commercial Land Use Policy D)
- Commercial uses adjacent to existing or proposed residential areas should be buffered. Traffic from commercial areas should be routed away from residential areas. (Residential Land Use Policy C)

Transportation: The subject property has frontage on Commodore’s Drive and Aquarius Street, which are both designated as “C1” Minor Residential Collector streets in the Urban Transportation Plan with 60 feet of right-of-way (ROW). High-intensity commercial and high-density residential uses should have direct access to arterial-type streets, which range from 95 to 130 feet of ROW. Commodore’s Drive has 120 feet of existing ROW and 100 feet of paving. Although Commodore’s Drive is designated as a “C1” Minor Residential Collector street, it is

functions more like a “C2” Secondary Collector with its increased ROW and paved width, which is appropriate for apartment uses.

Plat Status: The subject property is platted.

Department Comments:

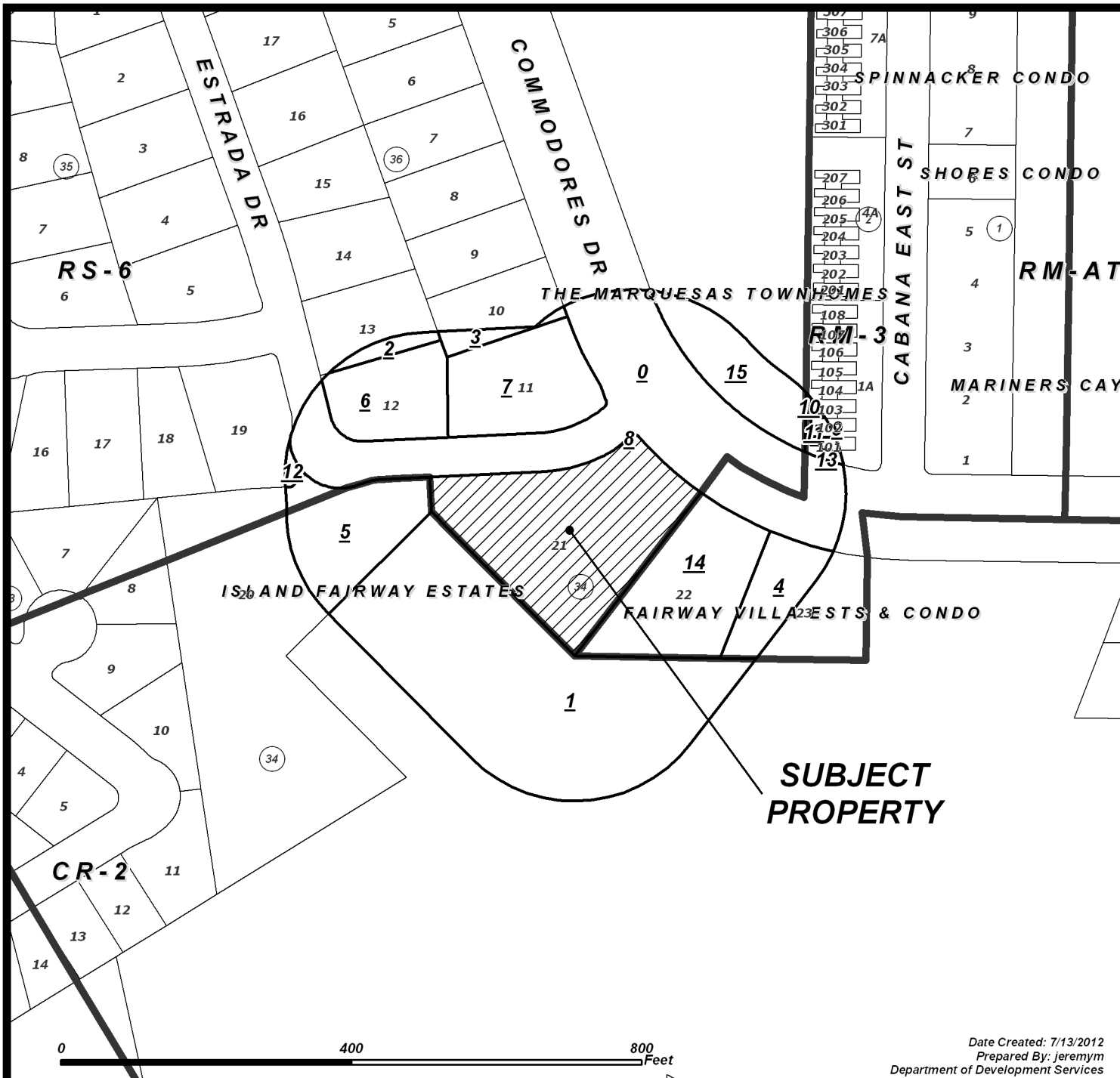
- Rather than the “CR-2” Resort Commercial District, which allows uses such as retail, restaurants, bars, and vehicle service, staff recommends a lower intensity zoning district such as the “RM-AT” Multifamily AT (Apartment Tourist) District to accommodate hotels and high-density residential uses in the Mustang-Padre Island area while at the same time providing a better transition between the high-intensity “CR-2” Resort Commercial District to the south and the proposed single-family subdivision to the north.
- Although the change of zoning to the “RM-AT” Multifamily AT District or the “CR-2” District would not be consistent with the future land use plan, the rezoning would be compatible with the “CR-2” District to the south and west.
- Rezoning the subject property to a multifamily district would also be consistent with the existing multifamily developments to the east (Fairway Villa Condominiums) and to the northeast (The Marquesa Townhomes), which are zoned “RM-3” Multifamily 3 District.

Planning Commission and Staff Recommendation (August 1, 2012):

Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “CR-2” Resort Commercial District and, in lieu thereof, approval of the “RM-AT” Multifamily AT District.

Public Notification	Number of Notices Mailed – 15 within 200’ notification area; 4 outside notification area
	<u>As of August 10, 2012:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 1 (inside notification area); 0 (outside notification area)
For 0.145% in opposition.	

- Attachments:
1. Site Map (Existing Zoning & Notice Area)
 2. Map of Aquarius Street Relocation



Date Created: 7/13/2012
 Prepared By: jeremym
 Department of Development Services

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2. SITE - EXISTING ZONING, NOTICE AREA & OWNERSHIP

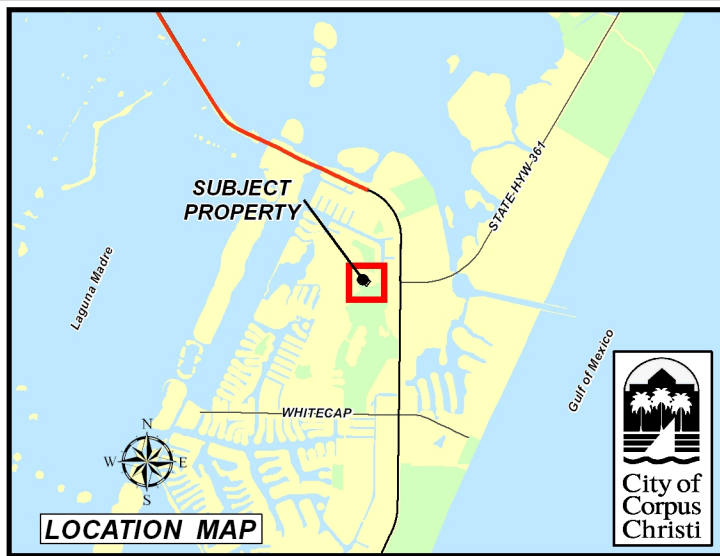
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF 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



Urban Transportation Plan - Aquarius Street Realignment

