

# PLANNING COMMISSION FINAL REPORT

Case No.: 0614-03

HTE No. 14-10000024

Planning Commission Hearing Date: June 18, 2014

City Council Public Hearing and First Reading Date: July 22, 2014

<b>Applicant &amp; Legal Description</b>	<p><b>Representative:</b> John Kendall  <b>Applicant/Owner:</b> CCSemloh Partnership, Ltd.  <b>Legal Description/Location:</b> Being a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Compton Road between the intersections with First National Boulevard and Waldron Road.</p>				
<b>Zoning Request</b>	<p><b>From:</b> "RE" Residential Estate District  <b>To:</b> "CG-2" General Commercial District  <b>Area:</b> 10.861 acres  <b>Purpose of Request:</b> To allow construction of a boat storage facility.</p>				
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	
<i>Site</i>		"RE" Residential Estate	Vacant	Estate Residential	
<i>North</i>		"CG-1" General Commercial	Commercial, Vacant & Public/Semi-public	Estate Residential, Commercial & Public/Semi-Public	
<i>South</i>		"RE" Residential Estate	Vacant	Estate Residential	
<i>East</i>		"RE" Residential Estate	Medium Density Residential	Medium Density Residential	
<i>West</i>		"RE" Residential Estate	Vacant	Estate Residential	
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Flour Bluff Area Development Plan (ADP) and is planned for estate residential uses. The proposed change of zoning to the "CG-2" General Commercial District is not consistent with the adopted Future Land Use Plan.  <b>Map No.:</b> 035031 &amp; 035032  <b>Zoning Violations:</b> None</p>				
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has access to Compton Road, which is a "C1" Minor Residential Collector street.</p>				
<b>Street R.O.W.</b>	<b>Street</b>	<b>Urban Transportation Plan Type</b>	<b>Proposed Section</b>	<b>Existing Section</b>	<b>Traffic Volume</b>
	Compton Rd.	"C1" Minor Residential Collector	60' ROW 40' paved	80' ROW 66' paved	Not Available

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a change of zoning from the “RE” Residential Estate District to the “CG-2” General Commercial District to allow construction of a boat storage facility.

**Development Plan:** The owner is proposing to develop the lot with multiple structures to be used for boat storage. As shown on the attached site plan, the development will consist of ten boat storage buildings. The majority of the storage units will not exceed 400 square feet, as limited by the conditions listed in the Unified Development Code. However, the owners would like to construct units over the limit to house larger boats. A special permit would be required to allow this condition. The total area of the proposed buildings is 110,400 square feet. The business is proposed to operate from 6:00 AM to 10:00 PM and there will be no employees on site. Per the Unified Development Code (UDC), no purging of inboard or outboard boat engines would be permitted at the site. A Type C buffer, which consists of a 15-foot wide buffer yard and 15 buffer points, would be required along the south and west property boundaries.

**Existing Land Uses & Zoning:** North of the subject property and across Compton Road are a U.S. Post Office and the backside of a shopping center. These properties are zoned “CG-1” General Commercial District. South and west of the subject property is vacant land which is zoned “RE” Residential Estate District. East of the property are two apartment complexes that are zoned “CG-2” General Commercial District.

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

**Plat Status:** The subject property will require platting with all infrastructure and public improvements in accordance with the Comprehensive Plan and all master plans.

**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 estate residential uses. The proposed rezoning opens examination into two pertinent elements of the Comprehensive Plan such as:

1. Incompatible industrial and commercial land uses should not abut residential areas (Residential Policy Statement I).
2. Expansion of commercial uses into or within residential areas may be permitted only if such expansion maintains or improves the residential desirability of the impacted neighborhoods (Commercial Policy Statement D).

**Department Comments:**

- The proposed rezoning is not consistent with the Comprehensive Plan or the Future Land Use Plan's designation of the property for estate residential uses.
- A boat barn is not a compatible use with the uses allowed in the abutting "RE" Residential Estate Districts to the south and west, which are also owned by CCSemloh Partnership, Ltd. The proposed rezoning is compatible with the current zoning and development patterns of the abutting properties to the north and east.
- Although planned for a boat storage facility, other incompatible uses will be allowed to be developed on the property. Uses such as vehicle sales and service, self-service storage, and bars and night clubs are allowed in the "CG-2" General Commercial District. These uses would not be compatible with the adjacent residentially zoned properties, therefore a Special Permit allowing only the boat storage facility will be appropriate for this area.
- With the required conditions listed in the UDC and the Special Permit conditions, the proposed development would provide less of a negative impact to the adjacent estate residential properties.

**Staff Recommendation (July 22, 2014):**

Denial of the change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District and in lieu thereof, approval of a Special Permit for a boat storage facility subject to a site plan and nine conditions.

**Special Permit Conditions:**

The following development conditions are consistent with the limited conditions of the UDC with additional conditions to address negative impacts to the adjacent residential properties and to address the increased square footage of the units.

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a boat storage facility.
2. **Buffer Yard:** A 15-foot wide buffer yard and 15 buffer points shall be installed, maintained, and remain in place along the south and west property boundaries as long as residential districts or uses are adjacent.
3. **Lighting:** All lighting shall be shielded and pole lights shall be of the full cut-off type. Freestanding pole lights are not allowed within 50 feet of the property line of residential zoning districts.
4. **Signage:** One freestanding sign shall be allowed. The freestanding sign must be a monument sign, which shall not exceed 8 feet in height and 50 square feet in area. One wall sign shall be permitted not to exceed 60 square feet. The wall sign must face Compton Road.
5. **Vehicle Stacking:** A minimum of four off-street vehicle stacking spaces designed in accordance with the standards of the Unified Development Code (UDC) shall be provided between the public right-of-way and the front access gate of the storage facility.
6. **Hours of Operation:** The hours of operation shall be limited from 6:00 AM to 10:00 PM. Customer access to the facility shall be prohibited after 10:00 PM. A gated entry and security monitors for the facility are required to be installed, remain in place, and be maintained.
7. **Storage Space:** The maximum allowable storage space for a single boat storage unit shall not exceed 500 square feet and each unit shall only house a single boat.

**8. On-site Operations:** No cleaning, purging, or maintenance of marine engines shall be permitted.

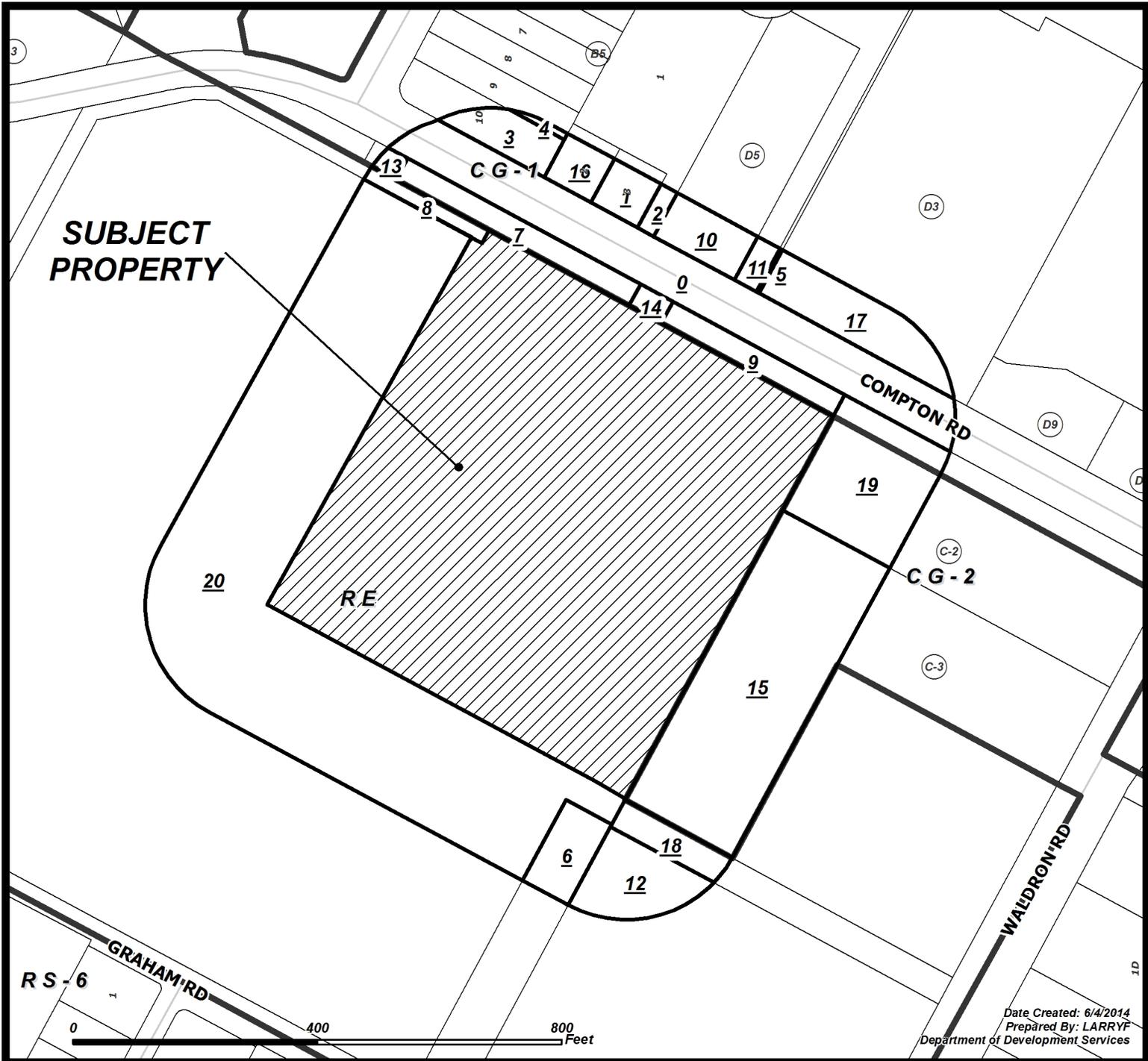
**9. Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

**Planning Commission Recommendation (June 18, 2014):**

Approval of the change of zoning from the “RE” Residential Estate District to the “CG-2” General Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 16 within 200-foot notification area; 2 outside notification area
	<b><u>As of June 26, 2014:</u></b>
	In Favor – 4 inside notification area; 1 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



## CASE: 0614-03 ZONING & NOTICE AREA

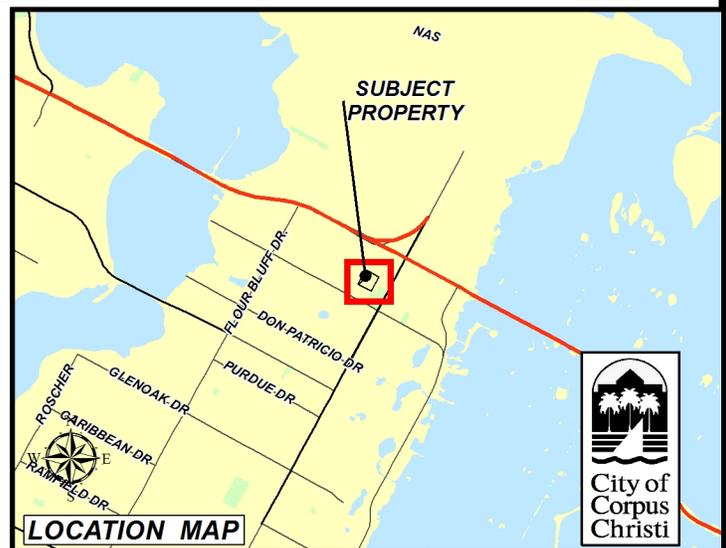
RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF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



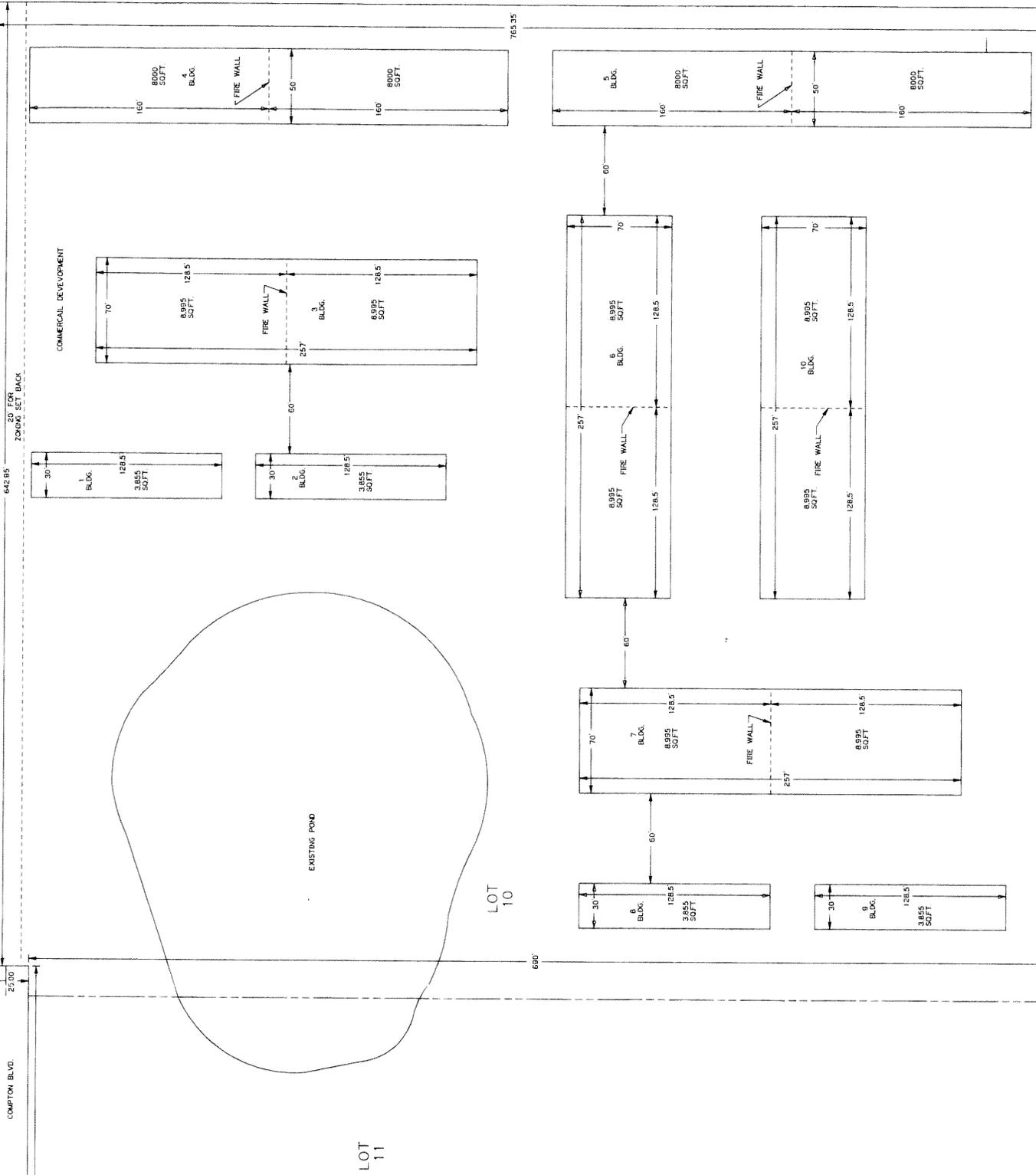


Exhibit C