

# STAFF REPORT

Case No.: 0514-02  
 HTE No. 14-10000018

Planning Commission Hearing Date: May 21, 2014

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> Roque Enriquez  <b>Legal Description/Location:</b> The property is described as Lots 1, 2 and 42, Block 4, South Park Subdivision, located along South Padre Island Drive (SH 358) between Concord Street and Monitor Street.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RM-1" Multifamily 1 District  <b>To:</b> "CG-2" General Commercial District  <b>Area:</b> 0.5565 acres  <b>Purpose of Request:</b> To rezone the property to allow commercial uses.</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>	"RM-1" Multifamily 1	Low Density Residential	Commercial
	<i>North</i>	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
	<i>South</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>East</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>West</i>	"RM-1" Multifamily 1 and ON/SP	Low Density Residential and Commercial	Commercial
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Southeast Area Development Plan (ADP) and is planned for commercial uses. The proposed change of zoning to the "CG-2" General Commercial District is consistent with the adopted Future Land Use Plan.  <b>Map No.:</b> 045037  <b>Zoning Violations:</b> Two sign violations, the most recent being in 2010. Subject property is currently in compliance.</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property currently has 140 feet of frontage on South Padre Island Drive (SH 358), which is an "F1" Freeway/Expressway, with access on the frontage road. The rezoning will expand the frontage on South Padre Island Drive (SH 358) to 240 feet. The property also has frontage on Monitor Street and Concord Street, which are local streets.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Padre Island Drive (SH 358)	"F1" Freeway/Expressway	400' ROW	250' ROW 230' paved w/median	(2011) 5088

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District to allow expansion of an existing car sales lot.

**Development Plan:** The applicant is proposing to use the property for expansion of an existing car lot. The applicant plans to clear the existing buildings and pave all the property. The parking lots will require paving and other site requirements, such as landscaping, curbs and screening. A buffer yard will be required between the commercial district and single-family district to the north.

**Existing Land Uses & Zoning:** The subject property currently has single-family homes and is zoned "RM-1" Multifamily 1 District. North of the subject property are single-family homes in the "RS-6" Single-Family 6 District. South of the subject property is South Padre Island Drive (SH 358). West of the subject property is a hair salon along South Padre Island Drive (SH 358) zoned "ON/SP" Office District with a Special Permit for the retail sales of hair care products and a single-family neighborhood zoned "RM-1" Single-Family 1 District. To the east of the subject property is a car dealership 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 is platted.

**Comprehensive Plan & Area Development Plan (ADP) Consistency:** The subject property is in the Southeast Area Development Plan (ADP) and the proposed rezoning is consistent with the adopted Future Land Use Plan, which slates the property for commercial uses.

**Department Comments:**

- The proposed rezoning is compatible with the current zoning and development patterns of the abutting properties and is an expansion of the commercial uses to the east, west and south.
- The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed development.
- The proposed rezoning would not negatively impact the surrounding properties and the property to be rezoned is suitable for commercial uses.
- The Unified Development Code (UDC) requires a buffer yard between commercial and single-family districts; therefore, many design features will be implemented to reduce negative impacts the expansion.
- Access to Concord Street, which is a residential street, will be prohibited.

**Staff Recommendation:**

Approval of the change of zoning from the “RM-1” Multifamily 1 District to the “CG-2” General Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 29 within 200-foot notification area; 5 outside notification area
	<b><u>As of May 20, 2014:</u></b>
	In Favor – 0 inside notification area; 0 outside notification area
	In Opposition – 0 inside notification area; 0 outside notification area
	For 0.0% in opposition.

Attachments:            Location Map (Existing Zoning & Notice Area)