

# STAFF REPORT

Case No.: 0414-02  
HTE No. 14-10000014

**Planning Commission Hearing Date:** April 9, 2014

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> Peterson Properties, Ltd.  <b>Legal Description/Location:</b> Being a 118.30-acre tract of land out of Lots 9, 10, 11, 14, 15, and 16, Section 5, Range VIII, of the Gugenheim and Cohn's Farm Lots, located between Old Brownsville Road (FM 665), South Padre Island Drive (SH 358), and West Point Road.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RS-6" Single-Family 6 District  <b>To:</b> "CG-2" General Commercial District  <b>Area:</b> 118.30 acres  <b>Purpose of Request:</b> To allow development of 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>	"RS-6" Single-Family 6	Vacant & Estate Residential	Light Industrial & Commercial
	<i>North</i>	"IL" Light Industrial & "CG-2" General Commercial	Light Industrial, Commercial, Office, & Vacant	Light Industrial
	<i>South</i>	"IL" Light Industrial	Vacant	Light Industrial
	<i>East</i>	"IL" Light Industrial	Light Industrial & Vacant	Light Industrial
	<i>West</i>	"IL" Light Industrial	Vacant	Light Industrial
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Westside Area Development Plan (ADP) and is planned for commercial and light industrial uses. The proposed change of zoning to the "CG-2" General Commercial District is partially consistent with the Future Land Use Plan.  <b>Map No.:</b> 051040 &amp; 050040  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has access to South Padre Island Drive (SH 358), which is a Freeway/Expressway, Old Brownsville Road (FM 665), which is a proposed "A3" Primary Arterial Divided street, and West Point Road, which is a proposed "A2" Secondary Arterial Divided street and a "C1" Minor Residential Collector street.</p>			

	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2011)
Street R.O.W.	SPID	Freeway/Expressway	400' ROW paved varies	ROW varies paved varies	E 1,976 W 2,314
	Old Brownsville Rd.	"A3" Primary Arterial Divided	130' ROW 79' paved	120' ROW 50' paved	Not Available
	West Point Rd.	"A2" Secondary Arterial Divided	100' ROW 54' paved	105' ROW 24' paved	Not Available
	West Point Rd.	"C1" Minor Residential Collector	60' ROW 40' paved	60' ROW 22' 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 "CG-2" General Commercial District to allow future development of commercial uses. The applicant does not have a specific development plan for the property but will subdivide the property into commercial lots in the future. The applicant has one potential commercial user at the corner of Old Brownsville Road (FM 665) and South Padre Island Drive (SH 358).

**Existing Land Uses & Zoning:** North of the subject property and across Old Brownsville Road (FM 665) are industrial properties and a gas station zoned "IL" Light Industrial District and "CG-2" General Commercial District. East of the subject property are industrial properties zoned "IL" Light Industrial District. South across West Point Road and west across South Padre Island Drive (SH 358) of the subject property is vacant land zoned "IL" Light Industrial District.

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

**Comprehensive Plan & Area Development Plan (ADP) Consistency:** The subject property is within the boundaries of the Westside ADP and the proposed rezoning is partially consistent with the adopted Future Land Use Plan, which slates the property for light industrial and commercial uses. The proposed rezoning is consistent with pertinent elements of the Comprehensive Plan, such as:

1. Traffic hazards should be lessened by discouraging through traffic within residential areas (Policy Statement, Residential J).
2. Commercial activities which generate large volumes of traffic should have direct access to an arterial without having to traverse low-density areas (Policy Statement, Commercial F).

**Department Comments:**

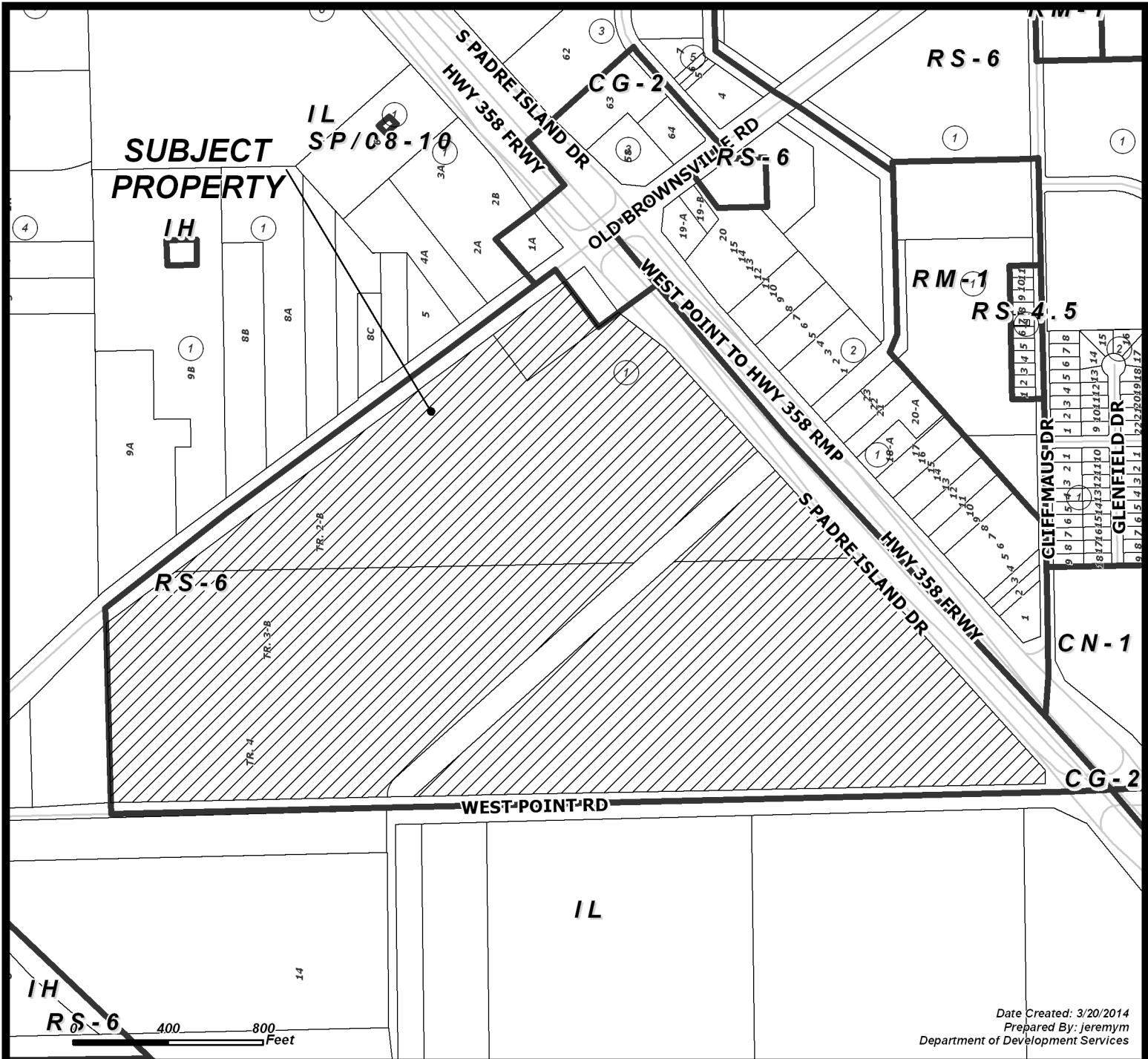
- The proposed rezoning is consistent with the Comprehensive Plan and partially consistent Future Land Use Plan. Approximately 12 acres located at the intersection of West Point Road and South Padre Island Drive (SH 358) are planned for light industrial uses. Commercial uses are appropriate at the intersection of a major arterial type street and a freeway. The remaining 106 acres are planned for commercial uses.
- The proposed rezoning would not negatively impact the surrounding properties and the property to be rezoned is suitable for commercial uses.
- The proposed rezoning is compatible with the present zoning and conforming uses of nearby properties and to the character of the surrounding area.
- The proposed development has sufficient access to arterial type streets, which would limit traffic through nearby residential areas.

**Staff Recommendation:**

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 33 within 200-foot notification area; 4 outside notification area
	<b><u>As of April 2, 2014:</u></b>
	In Favor – 0 inside notification area; 0 outside notification area
	In Opposition – 0 inside notification area; 0 outside notification area
	For 0.00% in opposition.

Attachments:            Location Map (Existing Zoning & Notice Area)



## CASE: 0414-02

### SUBJECT PROPERTY WITH ZONING

 Subject Property

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		

