

# ZONING REPORT

Case No. 0122-02  
 INFOR No. 21ZN1050

**Planning Commission Hearing Date:** January 12, 2022

<b>Applicant &amp; Legal Description</b>	<p><b>Owner:</b> RFW AG, Ltd.  <b>Applicant:</b> RFW AG, Ltd.  <b>Location Address:</b> 6636 Yorktown Boulevard  <b>Legal Description:</b> 12.17-acre tract out of Lot 14-B, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, located along the north side of Yorktown Boulevard, east of Cimarron Boulevard, and west of Rodd Field Road</p>			
<b>Zoning Request</b>	<p><b>From:</b> "FR" Farm Rural District  <b>To:</b> "RM-2" Multifamily District  <b>Area:</b> 12.17 acres  <b>Purpose of Request:</b> To allow for the construction of an apartment complex.</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>	"FR" Farm Rural District	Vacant	Commercial
	<i>North</i>	"RM-2" Multifamily District	Vacant and Drainage	High Density Residential
	<i>South</i>	"RS-6" Single-Family 6 District	Park	Permanent Open Space
	<i>East</i>	"FR" Farm Rural District and "CG-2" General Commercial District	Commercial and Low Density Residential	Commercial
	<i>West</i>	"FR" Farm Rural District and "RS-6" Single-Family 6 District	Commercial and Low Density Residential	Commercial
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a commercial use. The proposed rezoning to the "RM-2" Multifamily District is consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.  <b>City Council District:</b> 5  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has approximately 330 feet of street frontage along Yorktown Boulevard which is designated as a "A3" Primary Arterial Street. According to the Urban Transportation Plan, "A3" Primary Arterial Streets can convey a capacity between 30,000 and 48,000 Average Daily Trips (ADT).</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Yorktown Boulevard	"A3" Primary Arterial	130' ROW 79' paved	166' ROW 90' paved	N/A

**Staff Summary:**

**Development Plan:** The subject property is 12.17 acres in size. The applicant is proposing the construction of a 303-unit apartment complex.

**Existing Land Uses & Zoning:** The subject property is currently zoned "FR" Farm Rural District and consists of vacant land. The subject property was zoned "FR" Farm Rural in 1995 at the time of annexation. To the north are properties recently rezoned to the "RM-2" Multifamily District and "RM-1" Multifamily District is 2021 and 2018 respectively. Additionally, to the north is Master Channel 31 which is a drainage right-of-way width of approximately 140 feet and a depth of 7.21 feet. To the south across Yorktown Boulevard is Bill Witt Park zoned "RS-6" Single-Family 6 District. To the east is a large tract single-family home zoned "FR" Farm Rural District and a mini-storage business zoned "CG-2" General Commercial District. To the west is a mini-storage business zoned "FR" Farm Rural District and further to the west is Cimarron Lake Estates Subdivision with a Home Owners Association (HOA). The subdivision was rezoned in 2004 to the "RS-6" Single-Family 6 District.

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

**Plat Status:** The property is not platted.

**Utilities:**

**Water:** 12-inch C900 line located along Yorktown Boulevard.

**Wastewater:** Not Available

**Gas:** 8-inch Service Line located along Yorktown Boulevard.

**Storm Water:** 48-inch line located along Yorktown Boulevard.

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a medium density residential use. The proposed rezoning to the "RM-2" Multifamily District is inconsistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. The following policies should be considered:

- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use. (Future Land Use, Zoning, and Urban Design Policy Statement 1)
- Encourage residential infill development on vacant lots within or adjacent to existing neighborhoods. (Future Land Use, Zoning, and Urban Design Policy Statement 3)

- Support the separation of high-volume traffic from residential areas or other noise-sensitive land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Encourage direct arterial access for high-density apartments or interior access from a street designed specifically to collect the apartment traffic and distribute it directly to an arterial without passing through a lower density residential area. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Encourage convenient access from medium-density residential development to arterial roads. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Encourage mixed-use development, where appropriate, to increase walkability and create community gathering places. (Southside ADP, Section 5.3)

**Department Comments:**

- The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining properties, and does not have a negative impact upon adjacent properties. The proposed rezoning warrants an amendment to the Future Land Use Map.
- The property is currently vacant and is a remaining unplatted “FR” Farm Rural tract. The property has not been developed since annexation in 1995.
- Recent rezonings in the area have occurred to various multifamily districts since 2018.
- The subject property is across Yorktown Boulevard from Bill Witt Park and near the Del Mar College South Campus.

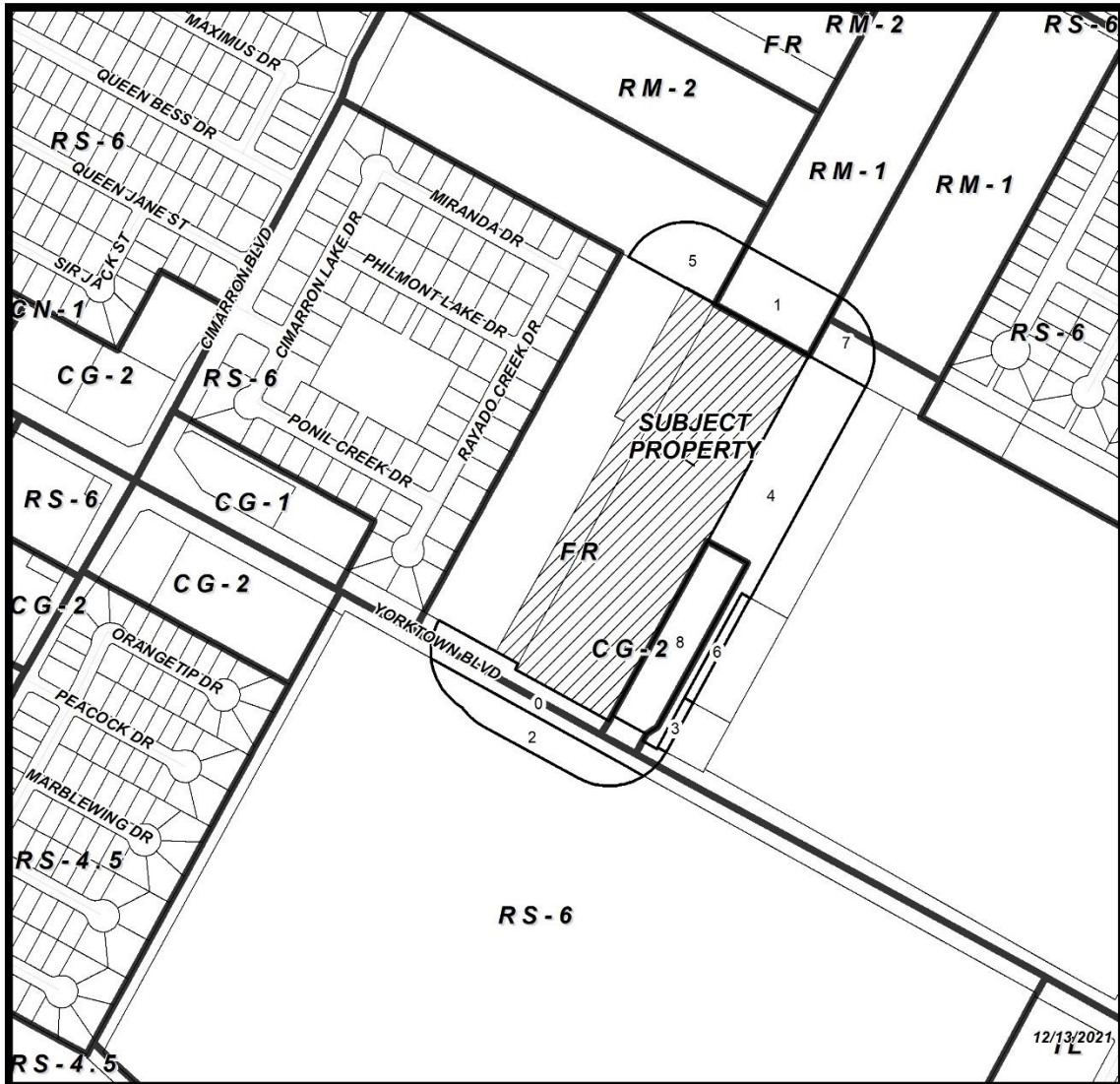
**Staff Recommendation:**

Approval of the change of zoning from the “FR” Farm Rural District to the “RM-2” Multifamily District.

<b>Public Notification</b>	Number of Notices Mailed – 8 within 200-foot notification area. 4 outside notification area
	<b><u>As of January 6, 2022:</u></b>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land within the 200-foot notification area in opposition. <small>*Created by calculating the area of land immediately adjoining the subject property and extending 200-foot therefrom. The opposition is totaled by the total area of land that each individual property owner owns converted into a percentage of the total 200-foot notification area. Notified property owner’s land in square feet / Total square footage of all property in the notification area = Percentage of public opposition</small>

**Attachments:**

- Location Map (Existing Zoning & Notice Area)
- Public Comments Received (if any)



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**Zoning and 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

