



AGENDA MEMORANDUM
for the City Council Meeting of July 10, 2012

DATE: May 25, 2012
TO: Ronald L. Olson, City Manager
FROM: Mark Van Vleck, Interim Director, Department of Development Services
MarkVV@cctexas.com
(361) 826-3246

PUBLIC HEARING – CHANGE OF ZONING
Convent Academy of the Incarnate Word (Case No. 0312-02)
From “RS-4.5” Single-Family 4.5, “RS-6” Single-Family 6, and “RM-1” Multifamily 1 Districts
to “RM-1” Multifamily 1 District
Property Address: 5409 Lipas Blvd.

CAPTION:

PUBLIC HEARING – ZONING

Case No. 0312-02: Convent Academy of the Incarnate Word: A change of zoning from the “RS-4.5” Single-Family 4.5 District, “RS-6” Single-Family 6 District, and “RM-1” Multifamily 1 District to the “RM-1” Multifamily 1 District. The property to be rezoned is described as being 41.32 acres out of Lots 5, 6, and 7, Section 6, Flour Bluff and Encinal Farm and Garden Tracts.

RECOMMENDATION:

Planning Commission & Staff Recommendation (March 28, 2012):

Denial of the change of zoning to the “RM-1” Multifamily 1 District on the entire 41.32-acre tract and, in lieu thereof, approval of the “RM-1” Multifamily 1 District on the western fifteen (15) acres and “RS-6” Single-Family 6 District on the remaining eastern 26.32 acres.

BACKGROUND AND FINDINGS:

The Convent Academy of the Incarnate Word (Convent) is requesting a change of zoning to the “RM-1” Multifamily 1 District to allow for the construction of a 40-resident convent facility on a fifteen-acre tract of land. The convent, associated administrative office and chapel would be located in one building, varying from one to two stories in height with a maximum floor area of 60,000 square feet.

The subject property is located west of Staples St. and along the south side of Lipas Blvd. The future convent would be constructed on the western fifteen acres of the subject property. The Convent owns the remaining 26.32 acres to the east of the future convent site. This 26.32-acre parcel has a combination of two different single-family zoning districts (“RS-4.5” and “RS-6”) with a small amount of multifamily zoning (“RM-1”). The change of zoning to the “RS-6” Single-Family 6 District on the eastern 26.32 acres would consolidate the zoning on that parcel to an appropriate single-family district. There are no development plans for the 26.32-acre parcel at this time. The Convent is in agreement with Planning Commission and Staff’s recommendation.

A convent is classified as a “group living” use, which requires a minimum of the “RM-1” District. The proposed convent facility would have lower densities and traffic generation than the standard single-family subdivision built on 15 acres.

The subject property is across from a public park, single-family houses, and senior-living apartments on Lipes Blvd. To the west and south are single-family houses. To the east is a church and apartment complex.

ALTERNATIVES:

Approve the “RM-1” Multifamily 1 District on the entire 41.32-acre tract, or deny the request altogether.

OTHER CONSIDERATIONS: N/A

CONFORMITY TO CITY POLICY:

The change of zoning on the 41.32-acre tract of land to the “RM-1” Multifamily 1 District is not consistent with the Comprehensive Plan or Southside Area Development, which slate the property for low-density residential uses. Reducing the area of the “RM-1” District to only fifteen acres is more consistent with the Plans and meets other Plan elements such as encouraging infill development on vacant tracts within developed areas, locating medium-density residential development along a collector street with convenient access to an arterial street, buffering high-intensity commercial areas from low-density residential areas through the existence of roads, public/institutional buildings, open space, scale of designs, and transitional land uses, and discouraging new high-intensity commercial developments from locating directly adjacent to low-intensity residential areas without an adequate transition or buffer.

EMERGENCY / NON-EMERGENCY: Emergency

DEPARTMENTAL CLEARANCES: N/A

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2011-2012	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

1. Zoning Report with Attachments
2. Ordinance with Exhibit