

STAFF REPORT

Case No. 0715-06

HTE No. 15-10000040

Planning Commission Hearing Date: July 29, 2015

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| Applicant & Legal Description | Applicant/Representative: John Kendall and The Boston Group Owner: Cloudcroft Land Ventures, Inc. Legal Description/Location: Being 2.257 acres of land being out of Lot 14, Section 55, Flour Bluff Encinal Farm & Garden Tracts, located along the south side of Graham Road between Waldron and Humble Road. | | | |
| Zoning Request | From: "RM-1" Multifamily 1 District To: "IL" Light Industrial District Area: 2.257 Purpose of Request: To allow the development of a boat storage facility. | | | |
| Existing Zoning and Land Uses | | Existing Zoning District | Existing Land Use | Future Land Use |
| | Site | "RM-1" Multifamily 1 | Vacant | Medium Density Residential |
| | North | "CG-2" General Commercial | Park | Park |
| | South | "IH" Heavy Industrial | Heavy Industrial | Light Industrial |
| | East | "RM-1" Multifamily 1 | Low Density Residential | Medium Density Residential |
| | West | "IH" Heavy Industrial | "IH" Heavy Industrial | "IH" Heavy Industrial |
| ADP, Map & Violations | Area Development Plan: The subject property is located within the boundaries of the Flour Bluff Area Development Plan and is planned for medium density residential uses. The proposed rezoning to the "IL" Light Industrial District is not consistent with the adopted Future Land Use Plan or the Flour Bluff Area Development Plan. Map No.: 035031 Zoning Violations: None | | | |
| Transportation | Transportation and Circulation: The subject property has approximately 300 feet of street frontage along Graham Road, which is a "C1" Minor Residential Collector street. | | | |

| Street R.O.W. | Street | Urban Transportation Plan Type | Proposed Section | Existing Section | Traffic Volume (2013) |
|------------------|-----------------|--|----------------------|----------------------|-----------------------------|
| | Graham Road. | "C1" Minor Residential Collector | 60' ROW 40' paved | 57' ROW 18' paved | N/A |

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RM-1" Multifamily 1 District to the "IL" Light Industrial District to allow the development of a boat storage facility with open boat storage.

Development Plan: The proposed rezoning is within the Flour Bluff area. The applicant is proposing outdoor boat storage or self-storage on 2.257 acres. The proposed outdoor boat storage will require screening in accordance with Unified Development Code Article 7.4. At a minimum, the Unified Development Code would require a 20-foot wide front yard on Graham Road. A buffer yard of 10 feet with 5 points would be required along the property lines abutting the "IH" Heavy Industrial District. Additionally, any structure adjacent to single-family or two-family uses will require a setback in compliance with UDC Article 4.2.8.C. This may apply to the eastern property line. A buffer yard of 15 feet with 15 points would be required along the property lines abutting the "RM-1" Multifamily 1 District. The site is proposed to have access from Graham Road.

Existing Land Uses & Zoning: North and west of the subject property is zoned "CG-2" General Commercial and consists of a park. South of the subject property is zoned "IH" Heavy Industrial with a gas plant on it. East of the subject property is zoned "RM-1" Multifamily 1 and has low-density residential uses. West of the subject property is zoned "IH" Heavy Industrial and consists of an access road to the power plant.

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

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Flour Bluff Area Development Plan (ADP). The proposed rezoning to the "IL" Light Industrial District is not consistent with the adopted Future Land Use Plan's designation of the property as medium density residential. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- Existing industrial uses south of South Padre Island Drive and between Waldron Road and Laguna Shores should be encouraged to transition into uses compatible to adjacent proposed multi-family land uses if, and when the current uses are discontinued. – **Flour Bluff Area Development Plan Policy Statement B.12**

- Expansion of commercial or industrial use into residential areas may be permitted only if the expansion maintains or improves the residential desirability of the impacted area. – **Comprehensive Plan Land Use Statement E**
- Minimize the impact of commercial areas on adjacent, existing or future residential areas through the use of compact design, screening fences, open space and landscaping – **Comprehensive Plan Commercial Land Use Policy B**
- 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. – **Comprehensive Plan Commercial Land Use Policy D**
- Encourage all business areas to develop and maintain a pleasing environment - **Comprehensive Plan Commercial Land Use Policy E**

Plat Status: The subject property would need to be re-platted.

Department Comments:

- The existing zoning of “RM-1” Multifamily 1 is not a desirable location for residential uses because it is adjacent on two sides to an “IH” Heavy Industrial District where a gas plant currently is in operation.
- The applicant has requested the “IL” Light Industrial District – a more intensive zoning district – because the desired “CG-2” General Commercial District does not allow for outdoor boat storage or “open storage” unless it is done in conjunction with retail sales. The proposed development plan does not include retail sales; therefore open storage for the purpose of storing rental of boats and trailers would not be allowed.
- City staff believes the “CC” Commercial Compatible District would allow for a better buffer and land use transition because the subject property’s adjacency to the gas plant. The “CC” District also allows for open storage for self-storage uses, which includes boat storage. It would have to be screened in accordance with the requirements outlined in UDC Article 7.4.
- The “CC” District provides for a wide range of business uses in appropriate locations, which can provide a buffer between residential uses and intensive public facilities, private businesses and manufacturing uses which could present a threat to public health, safety and welfare.
- It is staff’s opinion that the proposed rezoning would provide for more compatibility with the surrounding heavy industrial and residential properties.
- A “CC” Commercial Compatible District would provide for more compatibility with the surrounding heavy industrial and residential properties.
- Staff’s opinion is that a properly screened outdoor boat storage development would provide additional buffer between the residential uses and the heavy industrial uses, which does increase the residential desirability of this neighborhood - one of the findings required of the Comprehensive Plan when deciding which commercial uses to allow within residential areas.

Staff Recommendation:

Denial of the change of zoning from the “RM-1” Multifamily 1 District to the “IL” Light Industrial District and, in lieu thereof, approval of a change in zoning to the “CC” Commercial Compatible District.

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| Public Notification | Number of Notices Mailed – 10 within 200-foot notification area 9 outside notification area |
| | <u>As of July 22, 2015:</u> |
| | 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. |

Attachments:

1. Location Map (Existing Zoning & Notice Area)
2. Application