



AGENDA MEMORANDUM
for the City Council Meeting of May 8, 2012

DATE: 3/29/2012

TO: Ronald L. Olson, City Manager

FROM: Mark Van Vleck, Interim Director, Department of Development Services
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PUBLIC HEARING – CHANGE OF ZONING
Bluff Plastic (Case No. 0212-06)
Change from “CG-1” General Commercial District to “IL” Light Industrial District
Property Address: 817 Waldron Road

CAPTION:

PUBLIC HEARING – ZONING

Case No. 0212-06: Bluff Plastic: The applicant is requesting a change of zoning from the “CG-1” General Commercial District to the “IL” Light Industrial District, resulting in a change of the future land use from commercial to light industrial. The property being rezoned is Flour Bluff Estates, Block L, Lots 1 and 2, located north of South Padre Island Drive (SH 358) and east along Waldron Road.

Planning Commission and Staff Recommendation (March 14, 2012): Denial of the “IL” Light Industrial District and in lieu thereof approval of a “CG-1/SP” General Commercial District with a Special Permit to allow for a plastic fabrication facility, subject to three (3) conditions.

BACKGROUND AND FINDINGS:

The applicant has requested the change of zoning to an “IL” Light Industrial District in order to continue operating a plastic fabrication facility in compliance with zoning regulations. The current business molds plastic into products, such as commercial lid holders to plastic pastry containers, and does not manufacture plastic. There is no major manufacturing occurring on the premise.

The existing business does not create any adverse impact to the surrounding properties and the structure blends in with the other commercial buildings in the area.

Approval of the “IL” District would not be appropriate based on the Comprehensive Plan and Flour Bluff Area Development Plan. The business, however, does not appear to generate typical industrial noise, dust or odor despite its classification as an industrial use. A Special Permit in lieu of the “IL” District could allow the existing business to continue in operation and could limit expansion the size of the business to its current structure. Should the business need to expand in the future, the business would then need to move to an industrially zoned parcel of land.

ALTERNATIVES: Approval of the requested “IL” Light Industrial District in lieu of granting “CG-1/SP” General Commercial District with a Special Permit, or denial of the “IL” Light Industrial District altogether.

OTHER CONSIDERATIONS: N/A

CONFORMITY TO CITY POLICY:

The Comprehensive Plan and the Flour Bluff Area Development Plan slate the subject property for commercial uses. The requested "IL" Light Industrial District is not consistent with the adopted Plans.

EMERGENCY / NON-EMERGENCY: Emergency

DEPARTMENTAL CLEARANCES: N/A

FINANCIAL IMPACT: N/A

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

RECOMMENDATION:

Planning Commission and Staff Recommendation (March 14, 2012): Denial of the "IL" Light Industrial District and in lieu thereof approval of a "CG-1/SP" General Commercial District with a Special Permit to allow for a plastic fabrication facility, subject to three (3) conditions:

1. **USES:** The only use permitted by this Special Permit other than those uses permitted by-right in the "CG-1" General Commercial District is a plastic fabrication facility.
2. **STRUCTURE:** The plastic fabrication facility is limited to the structure's current square footage. Expansion of the structure for the allowed use or accessory uses is not permitted.
3. **TIME LIMIT:** This Special Permit shall expire one year from the date of this ordinance unless the property is in compliance with all rules and regulations of the City and a Certificate of Occupancy is obtained.

LIST OF SUPPORTING DOCUMENTS:

- Zoning Report
- Ordinance