



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of May 28, 2013
Second Reading for the City Council Meeting of June 11, 2013

DATE: April 25, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Rezoning from Industrial to Commercial for
The Palms at Leopard, Ltd.
Property Address: 2725 Leopard Street**

CAPTION:

Case No. 0413-04 The Palms at Leopard, Ltd.: A change of zoning from the "IH/SP" Heavy Industrial District with a Special Permit to the "CI" Intensive Commercial District. The property is described as being a 2.11-acre tract of land out of Tract C, Hawn Tract, and all of Tracts D and E, Hawn Tract, located along the east side of Palm Drive between Leopard Street and Lipan Street.

PURPOSE:

The purpose of this item is to eliminate the existing Special Permit and allow commercial and multifamily uses by right.

RECOMMENDATION:

Planning Commission and Staff Recommendation (April 24, 2013):
Approval of the change of zoning from the "IH/SP" Heavy Industrial District with a Special Permit to the "CI" Intensive Commercial District.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the property's current zoning designation is the "IH/SP" Heavy Industrial District with a Special Permit for a 120-unit apartment complex. The previous landowner did not want to relinquish the property's "IH" Heavy Industrial District in the event the apartment project fell through. Therefore, the property was granted a Special Permit with the "base" district remaining as the "IH" Heavy Industrial District. The apartment developer is now the new landowner and is requesting a rezoning to eliminate the Special Permit to allow an apartment complex on the property by right.

The proposed rezoning is not consistent with the Future Land Use Plan, which slates the property for a light industrial use. This rezoning is, however, a reasonable expansion of the planned commercial uses and existing "CI" Intensive Commercial District located along Leopard Street. Additionally, the proposed rezoning is compatible with current zoning patterns in the area and would not have a negative impact on the surrounding neighborhood. The property is currently occupied by dilapidated vacant buildings presenting a hazardous environment. Redevelopment of the property is expected improve the desirability of the neighborhood.

ALTERNATIVES:

1. Approve an intermediate zoning district;
2. Approval of a special permit; or
3. Deny the request.

OTHER CONSIDERATIONS: Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Port/Airport/Violet Area Development Plan and the proposed rezoning is not consistent with the Future Land Use Plan, which slates the property for light industrial uses.

EMERGENCY / NON-EMERGENCY: Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:

- Operating Revenue Capital Not applicable

Fiscal Year: 2012-2013	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:

- Aerial Overview Map
- Zoning Report with Attachments
- Ordinance with Exhibits