



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of December 16, 2014
Second Reading for the City Council Meeting of Jan. 13, 2015

DATE: November 24, 2014

TO: Ronald L. Olson, City Manager

FROM: Dan M. Grimsbo, P.E., Director, Development Services Department
DanG@cctexas.com
(361) 826-3595

**Rezoning from Residential to Light Industrial
For James D. Preis
Property Address: 4017 Waldron Road**

CAPTION:

Case No. 1114-02 James D. Preis: A change of zoning from the “RS-6” Single-Family 6 District and the “RMH” Manufactured Home District to the “IL” Light Industrial District, resulting in a change to the Future Land Use Plan. The property is described as being a 5.007-acre tract of land out of Lot 17, Section 52, Flour Bluff & Encinal Farm & Garden Tracts, located on the southeast corner of Yorktown Boulevard and Waldron Road.

PURPOSE:

The purpose of this item is rezone the property to allow the development of a boat and recreational vehicle (RV) storage facility.

RECOMMENDATION:

Planning Commission and Staff Recommendation (November 19, 2014): Boat and RV storage is considered a commercial use. The applicant requested the “IL” Light Industrial Zoning District because the “CG-2” General Commercial District limits the size of storage units at 400 square feet. The applicant included with his application a site plan showing the maximum size storage units in the complex at 455 square feet. Staff recommends the denial of the change of zoning from the “RS-6” Single-Family 6 District and “RMH” Residential Manufactured Home District to the “IL” Light Industrial District and, in lieu thereof, approval of a change of zoning to the “CN-1/SP” Neighborhood Commercial District with Special Permit for a boat storage facility subject to a site plan and the following seven conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a boat and RV storage facility.

2. **Buffer Yard:** On the eastern property line, a Type C Buffer Yard is required. A Type C Buffer Yard calls for a 15-foot wide landscaped buffer yard and 15 buffer points to be installed, maintained, and remain in place as long as residential districts or uses are adjacent. On the southern property line, a Type A Buffer Yard is required. A Type A Buffer Yard consists of a minimum 10-foot-wide buffer yard plus five buffer points to be installed, maintained, and remain in place as long as residential districts or uses are adjacent.
3. **Lighting:** All lighting shall be shielded away from residential areas and pole lights shall be of the full cut-off type. Freestanding pole lights are not allowed within 50 feet of the property line of residential zoning districts.
4. **Vehicle Stacking:** A minimum of four off-street vehicle stacking spaces designed in accordance with the standards of the Unified Development Code (UDC) shall be provided between the public right-of-way and the front access gate of the storage facility.
5. **Storage Space:** The maximum allowable storage space for a single boat storage unit shall not exceed 455 square feet and each unit shall only house a single boat. The overhead doors for the storage units should only face north and south.
6. **On-site Operations:** No cleaning, purging, or maintenance of marine engines shall be permitted.
7. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is requesting a change of zoning from the “RS-6” Single-Family 6 District and the “RMH” Manufactured Home District to the “IL” Light Industrial District for the development of a boat and RV storage facility.

The subject property is currently vacant and is within the boundaries of the Flour Bluff Area Development Plan (ADP). The rezoning for a boat and RV storage facility is consistent with elements of the Flour Bluff ADP. City staff strongly encourages either estate residential or commercial development for change of zoning requests in this area because of the proximity to the U.S. Navy’s designated accident potential zones around Waldron Field. Furthermore, the Flour Bluff ADP calls for the approval of more commercial and industrial uses between Flour Bluff Drive and Laguna Madre where there is existing adjacent commercial. The zoning recommendation is consistent with the city’s Comprehensive Plan, particularly because it considers the adjacent residential zones and proximity to Waldron Field. It conforms to the variety of uses of the nearby properties— including storage units, horse stables, a mobile home park and estate residential – at the corner of a well-traveled intersection of Waldron Road and Yorktown Boulevard in close proximity to Oso Bay and Laguna Madre. The zoning minimizes any negative impact on surrounding properties by including the required buffer yards.

(Requires $\frac{3}{4}$ vote)

ALTERNATIVES:

1. Approve the Staff and Planning Commission Recommendation of “CN-1/SP” Neighborhood Commercial District with a Special Permit for a boat and RV storage facility.
2. Modify the Special Permit conditions of the recommended “CN-1/SP” Ordinance.
3. Approve the “IL” Light Industrial District.
4. Deny the request to rezone and leave the property with its current zoning.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Flour Bluff Area Development Plan. The proposed rezoning is not consistent with the adopted Future Land Use Plan, but the proposed use and “CN-1/SP” Neighborhood Commercial District with a Special Permit for a boat/RV storage facility is consistent with elements of the Flour Bluff Area Development Plan.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

- Operating
 Revenue
 Capital
 Not applicable

Fiscal Year: 2014-2015	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:

- Presentation - Aerial Map
- Ordinance for “CN-1/SP” – Staff and Planning Commission Recommendation
- Ordinance for “IL” Light Industrial District
- Planning Commission Final Report