



AGENDA MEMORANDUM

Future Item for the City Council Meeting of September 11, 2012
Action Item for the City Council Meeting of September 18, 2012

DATE: August 14, 2012
TO: Ronald L. Olson, City Manager
FROM: Mark E. Van Vleck, P.E., Interim Director, Department of Development Services
MarkVV@cctexas.com
(361) 826-3246

PUBLIC HEARING – CHANGE OF ZONING
Steven Bright (Case No. 0812-01)
Change from “RS-6” Single-Family 6 District to “CR-2” Resort Commercial District
Property Address: 14101 Commodores Drive

CAPTION:

PUBLIC HEARING – ZONING

Case No. 0812-01 Steven Bright: A change of zoning from the “RS-6” Single-Family 6 District to the “CR-2” Resort Commercial District, resulting in a change of future land use from low density residential to commercial. The property to be rezoned is described as Island Fairway Estates, Block 34, Lot 21, located along the southwest corner of Commodore’s Drive and Aquarius Street.

PURPOSE:

The purpose of this item is to rezone the subject property from the “RS-6” Single-Family 6 District to the “CR-2” General Commercial District to allow for the development of multifamily and/or commercial uses.

RECOMMENDATION:

Planning Commission and Staff Recommendation (August 1, 2012):

Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “CR-2” Resort Commercial District and, in lieu thereof, approval of the “RM-AT” Multifamily AT District.

BACKGROUND AND FINDINGS:

The applicant is requesting a change of zoning from the “RS-6” Single-Family 6 District to the “CR-2” Resort Commercial District to allow for future development of commercial and/or multifamily uses. The subject property is adjacent to the proposed Schlitterbahn Water Park, which was recently rezoned to the “CR-2” District.

Located to the north of the subject property is an undeveloped single-family subdivision and a fire station, which are in the “RS-6” Single-Family 6 District. To the east and northeast are multifamily developments (The Marquesas Townhomes and Fairway Estates Condominiums) zoned the “RM-3” Multifamily 3 District. To the south and west is vacant land and the Padre

Isles Golf Course, which were rezoned to the “CR-2” Resort Commercial District for the proposed Schlitterbahn Water Park.

Staff recommends a lower intensity zoning district such as the “RM-AT” Multifamily AT District in order to accommodate tourist uses while providing a better transition from the high-intensity commercial district to the south and the proposed single-family subdivision to the north. The “RM-AT” District would better protect the proposed single-family subdivision by prohibiting bars, vehicle repair and other high-intensity uses allowed in the “CR-2” District.

The “RM-AT” Multifamily AT District would be compatible with the proposed Schlitterbahn Water Park to the south and would be consistent with the condominiums and townhomes already developed on Commodore’s Drive, which are zoned “RM-3” Multifamily 3 District. The applicant is in agreement with Staff’s recommendation.

ALTERNATIVES:

1. Approve an intermediate zoning classification and/or Special Permit;
2. Approve the applicant’s original request of the “CR-2” Resort Commercial District; or
3. Deny the rezoning request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The proposed change of zoning is not consistent with the adopted Future Land Use Map, but it is consistent with aspects of the Mustang-Padre Island Area Development Plan and the Comprehensive Plan.

EMERGENCY / NON-EMERGENCY:

Staff is requesting an emergency reading. According to Article II, Section 14 of the City Charter, an item can be classified as an emergency because it calls for “immediate action necessary for the efficient and effective administration of the city’s affairs.” This is a routine, non-controversial item.

DEPARTMENTAL CLEARANCES:

Planning, Legal and Planning Commission

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. Aerial Overview Map
2. Zoning Report with Attachments
3. Ordinance with Exhibit