



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of May 19, 2015
Second Reading for the City Council Meeting of May 26, 2015

DATE: April 29, 2015

TO: Ronald L. Olson, City Manager

FROM: Dan M. Grimsbo, P.E., Director, Development Services Department
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**Rezoning from General Commercial to Light Industrial
For Corpus Bayside Investments, LLC
Address: 520 Naval Air Station Drive**

CAPTION:

Case No. 0415-08 Corpus Bayside Investments, LLC: A change of zoning from the "CG-1" General Commercial District to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Lot 15, Block 2, Flour Bluff Estates #2, located at the northwest corner of Scotland Drive and Naval Air Station Drive.

PURPOSE:

The purpose of this item is rezone the property to allow a microbrewery.

RECOMMENDATION:

Planning Commission and Staff Recommendation (April 22, 2015):

Denial of the change of zoning from the "CG-1" General Commercial District to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-1/SP" General Commercial District with a Special Permit for a Micro-brewery with the following conditions and limitations:

1. Use Regulation: The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a microbrewery. The maximum number of barrels of beer that may be manufactured at this property shall be limited to 5,000 barrels per year.

2. Operations: Business operations shall include retail on-site consumption of beer with a minimum area consisting of 230 square feet dedicated to the retail component of the business. Elimination of the retail component will result in the termination of the Special Permit.

3. Hours of Operation: Shall be 8:00 A.M. to 6:00 P.M.

4. Deliveries: An 18 wheeler shall not deliver or pick up from the premises more than once a week and deliveries shall occur between 8:00 A.M. and 5:00 P.M.

5. 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

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant proposes to operate a micro-brewery out of an existing building approximately 1050 square feet in size. The brewing operation, packaging and distribution of the product would encompass the majority of the building; however, approximately 231 square feet of the building is proposed to be used for on-site retail consumption of the beer brewed on the property. The applicant indicates that their initial setup will allow them to produce approximately 1,500 barrels of beer per year with the availability of growth up to 5,000 barrels. The applicant indicates the business would have five employees and hours of operation would be 8:00 A.M. to 6:00 P.M. Monday through Friday.

A micro-brewery is currently not a use classified in the Unified Development Code. Based on staff's research and the Future Land Use Plan's designation of the property as "CG-1" General Commercial, staff finds it most appropriate for the property to remain zoned "CG-1" and to allow operation of the business with a Special Permit with conditions.

ALTERNATIVES:

1. Deny the request for a microbrewery altogether.
2. Deny the "IL" Industrial District and approve the "CG-1/SP" General Commercial District with a Special Permit for a microbrewery.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The proposed designation of "IL" Light Industrial District is not consistent with the Future Land Use Plan or the Four Bluff Area Development Plan. With further analysis, based on the described operations, scale of the operation, staff concludes that the proposed business would not alter the overall character of the area and intent of the land use plan. The business if permitted to operate at this location would further various goals of the Comprehensive Plan and the Flour Bluff Area Development Plan that pertain to economic development and infill development.

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 Special Permit (as recommended)
- Ordinance for Light Industrial District
- Planning Commission Final Report