

## STAFF REPORT

**Case No.:** 0514-03

**HTE No.** 14-1000021

**Planning Commission Hearing Date:** May 21, 2014

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/ Owner:</b> Williams Airline Partners, Ltd.  <b>Legal Description/Location:</b> An 8.74-acre tract of land out of a portion of Lot H1, Wilkey Addition Unit 2, located along the north side of Williams Drive approximately 630 feet west of Airline Road.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RM-1" Multifamily 1 District and "RM-3" Multifamily 3 District  <b>To:</b> "CG-2" General Commercial District  <b>Area:</b> 8.74 acres  <b>Purpose of Request:</b> To allow for the development of a hotel site and future commercial uses.</p>			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
<i>Site</i>		"RM-1" Multifamily 1 & "RM-3" Multifamily 3	Vacant	Medium Density Residential
<i>North</i>		"CG-2" General Commercial	Commercial	Commercial
<i>South</i>		"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
<i>East</i>		"ON" Office & "RM-1" Multifamily 1	Medium Density Residential	Office and Medium Density Residential
<i>West</i>		"CG-2" General Commercial & "RS-6" Single-Family 6	Commercial and Public/Semi-Public	Commercial and Public/Semi-Public
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan and is planned for medium density residential uses. The proposed change of zoning to the "CG-2" General Commercial District is not consistent with the adopted Future Land Use Plan, which slates the property for medium density residential uses.  <b>Map No.:</b> 042035  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has access to Williams Drive, which is a proposed "C3" Primary Collector street. The subject property is adjacent to a private drive with access to South Padre Island Drive (SH 358).</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2009)
	Williams Drive	"C3" Primary Collector	75' ROW 50' paved	86' ROW 26' paved	8,580 ADT

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a change of zoning from the "RM-1" Multifamily 1 District and "RM-3" Multifamily 3 District to the "CG-2" General Commercial District to allow for the development of a hotel site and future commercial uses.

**Development Plan:** The applicant is proposing to use a portion of the property adjacent to a hotel, known as Tract A on the attached site plan, for the development of a new hotel. The developer does not have specific plans for the remainder of the site. It is the applicant's intent to have commercial tenants, such as a retail center and/or restaurant.

Per the Unified Development Code (UDC), the applicant will require a Type A buffer yard consisting of a 10-foot-wide buffer yard and 5 buffer points along the east property line adjacent to the "RM-1" District. Also, a Type C buffer yard consisting of a 15-foot-wide buffer yard and 15 points will be required along the property line to the west adjacent to the "RS-6" District.

**Existing Land Uses & Zoning:** North of the subject property are several restaurants facing the frontage road to South Padre Island Drive (SH 358) zoned "CG-2" General Commercial District. Northwest of the subject property is a hotel under construction in a "CG-2" General Commercial District. West of the subject property is Our Lady of Perpetual Help – a church and private Catholic school for students in Pre-Kindergarten through 8<sup>th</sup> grade. South of the subject property, across Williams Drive, is a neighborhood with single-family detached houses. East of the subject property is an apartment complex zoned for "ON" Office District and "RM-1" Multifamily 1 District.

**AICUZ:** The subject property is not located in a Navy Air Installation Compatibility Use Zones (AICUZ).

**Comprehensive Plan & Area Development Plan (ADP) Consistency:** The subject property is within the boundaries of the Southside ADP and the proposed rezoning is not consistent with the adopted Future Land Use Plan, which slates the property for medium density residential uses. Although inconsistent with the Future Land Use Plan, the proposed rezoning is consistent with pertinent elements of the Comprehensive Plan.

**Department Comments:**

- Buffer requirements and screening would be used to minimize the nuisance between commercial uses and the adjacent properties not zoned for commercial.
- The proposed rezoning is compatible with the development patterns of the abutting properties to the north along South Padre Island Drive (SH 358).
- Access to the subject property includes a driveway between South Padre Island Drive (SH 358) access road and Williams Drive. The shared driveway provides access for vehicles from both South Padre Island Drive and Williams Drive to the restaurants, hotel under construction and proposed development for the subject property.
- Williams Drive, between South Staples Street and Airline Road, is identified as a C-3 collector in the Master Transportation Plan and slated for a future expansion under the 2012 Bond program. Plans call for a widening of the two-lane, two-way collector road to a four-lane road with improved ADA access, sidewalks, curb and gutter.
- The proposed rezoning could have a negative impact on the neighborhood to the south. Although, Williams Drive will provide a four-lane street buffer between the low-density residential and the requested commercial zoning, the Comprehensive Plan calls for Neighborhood Commercial zoning – a less intensive and more compatible commercial zoning district– along Williams and Holly drives which serve as collector streets for neighborhoods. The property to the north is developed commercial property with restaurants and a hotel. The property to the east includes an apartment complex on property zoned “ON” Office and “RM-1” Multifamily 1 residential.
- The requested change in zoning is inconsistent with the Future Land Use Plan; although, a commercial use serving the adjacent neighborhood would be appropriate for this area and would be an expansion of the zoning immediately to north and northwest.
- The future land use plan calls for the subject property, as well as the property to the East, to have RM-1” Multifamily 1 District uses. An expansion of the commercial zoning is reasonable when directly adjacent to the existing commercial corridor on South Padre Island Drive (SH 358).

**Staff Recommendation:**

Approval of the change of zoning from “RM-1” Multifamily 1 and “RM-3” Multifamily 3 to the “CG-2” General Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 30 within 200-foot notification area; 4 outside notification area
	<b><u>As of May 12, 2014:</u></b>
	In Favor – 0 inside notification area; 0 outside notification area
	In Opposition – 0 inside notification area; 0 outside notification area
For 0.00% in opposition.	

Attachments:            Location Map (Existing Zoning & Notice Area)