



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of August 25, 2015
Second Reading for the City Council Meeting of September 8, 2015

DATE: August 4, 2015

TO: Ronald L. Olson, City Manager

FROM: Dan M. Grimsbo, P.E., Director, Development Services Department
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Public Hearing and First Reading for property at 5425 Old Brownsville Road

CAPTION:

Case No. 0715-04 Peterson Properties, Ltd.: A change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District. The property to be rezoned is described as being a 2.65 Acre tract being portions of Lot 10, Section 5, Range VIII, of the Gugenheim & Cohn's Farm Lots, and Tract 1-B and Tract 6, M.M. Gabriel Land, a 9.80 Acre Tract, described as Tract II, conveyed in a warranty deed from Patricia Ray Peterson Nuss to Peterson Properties, LTD., recorded in Document Number 837113, Official Public Records of Nueces County, Texas, a 2.083 Acre Tract conveyed in a warranty deed from Page J. Gabriel and wife, Virginia Mae Gabriel to Gulfway Shopping Center Inc. recorded in Volume 1310, Page 177, Deed Records of Nueces County, Texas, and all of a 0.446 Acre Tract conveyed in a Warranty Deed from J.V. Gabriel and wife, Wanda Gabriel to Ray E. Peterson recorded in Volume 903, Page 352, Deed Records of Nueces County, Texas, located on the southeast corner of Old Brownsville Road and North Padre Island Drive (SH 358).

PURPOSE:

The purpose of this item is to rezone property for a light industrial use.

RECOMMENDATION:

Planning Commission and Staff Recommendation (July 29, 2015):
Approval of the change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is proposing a Stripes convenience store to include a 6,800-square-foot store to be open 24 hours a day, seven days a week. The "IL" Light Industrial zoning is being requested because the fueling station will cater to heavy load vehicles for fueling, restrooms, and restaurant uses, which is classified and defined as a "truck stop with overnight accommodations" in the city's Unified Development Code. The applicant is aware the development would require an extension of the city's wastewater infrastructure to support the proposed use. It is staff's opinion that allowing the requested zoning district would encourage the extension of the wastewater trunk system in this area which largely is vacant and lacks the necessary infrastructure. The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed amendment and it is staff's opinion that the proposed rezoning is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area. The rezoning is consistent with elements of the city's Comprehensive Plan, is compatible with the adjacent neighborhood and land uses and would not have a negative impact on the surrounding neighborhood.

ALTERNATIVES:

1. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Westside Area Development Plan (ADP) and is not consistent with the adopted Future Land Use Plan but with elements of the Westside 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

Planning Commission Final Report