



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of October 13, 2015
Second Reading for the City Council Meeting of October 20, 2015

DATE: September 23, 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 3802 Cimarron Boulevard.

CAPTION:

Case No. 0815-03 The Clower Company: From the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District. The property to be rezoned is described as being an 8.922-acre tract of land out of Lots 1 and 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Lipes Boulevard and Cimarron Boulevard.

PURPOSE:

The purpose of this item is rezone the property to allow for development of retail, office and multifamily uses.

RECOMMENDATION:

Staff Recommendation:

Tract 1 - Approval of the "CN-1" Neighborhood Commercial District on 4.08 acres.
Tract 2 - Denial of the "CN-1" Neighborhood Commercial District on the remaining 4.842 acres and, in lieu thereof, approval of the **"RM-1" Multifamily 1 District.**

Planning Commission Recommendation:

Tract 1 - Approval of the "CN-1" Neighborhood Commercial District on 4.08 acres.
Tract 2 - Denial of the "CN-1" Neighborhood Commercial District on the remaining 4.842 acres and, in lieu thereof, approval of the **"RM-2" Multifamily 2 District.**

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant proposes to develop commercial uses on Cimarron Boulevard and an apartment complex of approximately 200 units in the back. The applicant does not have a development plan, and requested the “CN-1” Neighborhood Commercial District which allows both commercial uses and apartments at 37 units per acre. It is staff’s opinion that the proposed rezoning to the “CN-1” Neighborhood Commercial District on the entire tract of 8.922 acres is not compatible with planned low density residential uses to the east. The subject property is planned for medium-density residential uses up to 22 units per acre. Staff’s opinion is that a rezoning to the “CN-1” District for the entire tract allows commercial development to further encroach into an area designated for low-density residential development.

Based on the depth of surrounding uses non-residential uses, Staff recommended the “CN-1” Neighborhood Commercial District on the front 4.08 acres and the “RM-1” Multifamily 1 District for the back 4.842 acres, which allows 22 units per acre and is consistent with the Future Land Use Map and would provide a transition/buffer between the planned single-family developments and the commercial developments on Cimarron Boulevard.

Planning Commission agreed with this concept, but recommended a higher density for the proposed multifamily uses – the “RM-2” Multifamily 2 District at 30 units per acre. The “RM-2” District is considered high-density residential development according to the Future Land Use Map. The applicant agrees with the Planning Commission’s recommendation.

ALTERNATIVES:

1. Approve Staff’s recommendation.
2. Approve Planning Commission’s recommendation.
3. Approve the applicant’s original request of 8.922 acres of “CN-1” Neighborhood Commercial District. **(3/4 vote required on Tract 2)**
4. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southside Area Development Plan and is not consistent with the adopted Future Land Use Map, which designates the property for medium density residential uses.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:☐ Operating☐ Revenue☐ Capital☒ Not applicable

Fiscal Year: 2015-2016	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