



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of July 26, 2016
Second Reading for the City Council Meeting of August 9, 2016

DATE: July 5, 2016

TO: Margie Rose, Interim City Manager

FROM: Daniel McGinn, Interim Director, Development Services Department
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Public Hearing and First Reading for Property located on the south side of Compton Road approximately 1,250 feet west of Waldron Road

CAPTION:

Case No. 0616-05 CCSemloh Partnership, Ltd.: A change of zoning from the "RE" Residential Estate District and "CG-1" General Commercial District to the "CG-2" General Commercial District. The property to be rezoned is described as **Tract 1:** Being 10.536 acres out of Lots 6 and 11, Section 48, Flour Bluff and Encinal Farm and Garden Tracts and **Tract 2:** Being 0.552 acres out of Lots 7 and 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Compton Road approximately 1,250 feet west of Waldron Road.

PURPOSE:

The purpose of this item is to rezone the property to allow construction of an enclosed boat and recreational vehicle storage facility on Tract 1 and general commercial uses on Tract 2.

RECOMMENDATION:

Tract 1:

Denial of the change of zoning from the "RE" Residential Estate District and "CG-1" General Commercial District to the "CG-2" General Commercial District, and in lieu thereof, approval of a "RE/SP" Residential Estate District with a Special Permit for a boat and recreational vehicle storage facility subject to compliance with the setbacks and buffering elements identified in the attached site plan and the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a gated, self-service storage facility for fully-enclosed boat and recreational vehicle storage.
2. **Minimum Yards:** The street yard setback along the northwest corner of the property abutting Compton Road shall be a minimum of 50 feet. The street yard

setback along the remainder of Compton Road frontage shall be a minimum of 50 feet.

3. **Buffer Yards:** A 50-foot wide buffer yard (coterminous with the street yard) and a six-foot solid wood screening fence shall be installed, maintained and remain in place on that portion of the northwest corner of the property abutting Compton Road. A 15-foot wide buffer yard and 15 buffer points shall be installed, maintained, and remain in place along any side of the property abutting a residential zoning district; except that, for any area abutting a drainage ditch with a minimum of 30 feet of right-of-way the buffer yard may be comprised of a continuous masonry wall at least six feet in height, which may be comprised of a combination of the rear wall of a building and a masonry wall, set back a minimum of 10 feet from the property line.
4. **Landscaping:** Seventy percent of the required landscaping shall be installed, maintained, and remain in place on that portion of the northwest corner of the property abutting Compton Road where the site plan indicates a 50-foot buffer yard.
5. **Architectural Elements:** Buildings constructed along the west and south property lines abutting residential zoning districts shall incorporate masonry-type elements, such as but not limited to wainscoting.
6. **Lighting:** All lighting shall be shielded and pole lights shall be of the full cut-off type. Freestanding pole lights are not allowed within 50 feet of a property line abutting residential zoning districts.
7. **Signage:** One freestanding sign shall be allowed. The freestanding sign must be a monument sign, which shall not exceed eight feet in height and 50 square feet in area. One wall sign shall be permitted not to exceed 60 square feet. The wall sign shall face Compton Road.
8. **Vehicle Stacking:** A minimum of four off-street vehicle stacking spaces designed in accordance with all standards of the UDC for gated parking areas shall be provided between the public right-of-way and the front access gate of the storage facility.
9. **Storage Space:** The maximum allowable storage space for a boat or recreational vehicle storage unit shall not exceed 500 square feet in accordance with the UDC. Boat and recreational vehicle storage buildings shall be limited to one floor in height.
10. **On-site Operations:** No cleaning, purging, or maintenance of marine engines shall be permitted. The repair of boats and recreational vehicles shall be prohibited.
11. **Traffic Improvements:** The Owner shall construct or install traffic improvements identified in the Traffic Impact Analysis submitted to the Transportation Advisory Commission for the removal of First National Boulevard from the Urban Transportation Plan.
12. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable requirements of the UDC, Building and Fire Code.
13. **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 permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Tract 2:

Approval of the rezoning from the “RE” Residential Estate District and “CG-1” General Commercial District to the “CG-2” General Commercial District.

Vote Results:

For: 8

Opposed: 0

Abstained: 0

Absent: 1

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is requesting a rezoning from “RE” Residential Estate District and “CG-1” General Commercial District to the “CG-2” General Commercial District to allow construction of an enclosed boat and recreational vehicle (RV) storage facility on Tract 1. The proposed development on Tract 2 is unknown at this time.

The owner is proposing to develop Tract 1 with multiple structures to be used for the storage of boats and RVs. A larger street yard setback of 50 feet is proposed along the northwest corner of the property abutting Compton Road and the required yard of 20 feet is shown along the remainder of the Compton Road frontage. The property owner is proposing to construct buildings 10 feet from the property line along the south and west property lines in a manner that would allow the rear wall of the buildings to serve as a screening wall when placed in conjunction with a six-foot masonry fence where no building wall exists. No purging of inboard or outboard boat engines would be permitted at the site.

The current requested rezoning to the “CG-2” General Commercial District is not consistent with the Comprehensive Plan or the Future Land Use Map’s designation of the property for estate residential uses and may negatively impact the adjacent properties because the “CG-2” General Commercial District would allow uses such as vehicle sales and service, bars and night clubs, which would not be compatible with the adjacent residentially zoned properties. Staff finds the proposed use with special provisions for buffering, increased setbacks, and other compatibility features to be compatible with the current zoning and development patterns of the neighborhood. Staff further finds that, due to low traffic counts and generally limited activity associated with such storage use, the proposed use may be compatible with properties to the west and southwest provided certain development conditions are imposed to mitigate impacts of the development. Therefore, staff finds that Special Permit conditions coupled with standard UDC requirements for nonresidential developments adjacent to residential development will ensure that development is compatible with existing and future residential development.

The applicant is in agreement with the Staff and Planning Commission recommendations.

ALTERNATIVES:

1. Approve the rezoning to "RE/SP" Residential Estate District with a Special Permit on Tract 1 and approval of the "CG-2" General Commercial District on Tract 2 as recommended by Staff and Planning Commission.
2. Approve the request to "CG-2" General Commercial District for Tracts 1 and 2. (requires ¾ vote)
3. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The proposed rezoning to the "CG-2" General Commercial District on Tract 1 is not consistent with the adopted Future Land Use Map or the Flour Bluff Area Development Plan but does further policies of the Comprehensive Plan pertaining to infill development. The Special Permit recommended by staff and Planning Commission would allow the proposed use in conformity with City plans. The rezoning of Tract 2 as proposed is consistent with City plans.

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:

Ordinance (RE/SP and CG-2)

Ordinance (CG-2)

Presentation - Aerial Map

Planning Commission Final Report