



## AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of March 18, 2014  
Second Reading Ordinance for the City Council Meeting of March 25, 2014

**DATE:** February 13, 2014

**TO:** Ronald L. Olson, City Manager

**FROM:** Barney Williams, P.E., Interim Director, Development Services  
Department  
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**Rezoning from Commercial to Residential  
By Santos and Virginia Herrera  
Property Address: 4410 Ivy Lane**

### **CAPTION:**

Case No. 0214-04: Santos and Virginia Herrera: A change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District, resulting in a change to the Future Land Use Plan from commercial to low density residential uses. The property is described as being a 0.113-acre tract of land out of Lot 10A, Ava Cooper Subdivision, located approximately 200 feet north of Gollihar Road and 75 feet east of Ivy Lane.

### **PURPOSE:**

The purpose of this item is to rezone the rear portion of the property to allow single-family uses.

### **RECOMMENDATION:**

Planning Commission and Staff Recommendation (February 12, 2014):

Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District.

### **BACKGROUND AND FINDINGS:**

As detailed in the attached report, the applicant is requesting a rezoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District to allow an addition to a single-family dwelling. The lot consists of a single-family dwelling at the front of the property and a carport with storage on the rear portion of the property. The front 75 feet of the property is zoned "RS-6" District and the remainder of the property is zoned "CN-1" District. The carport and proposed addition are located in the portion of the property zoned "CN-1" District.

Although inconsistent with the Future Land Use Plan, the rear portion of the property is unlikely to develop with commercial uses. A single-family dwelling exists on the front of the property and an addition of the dwelling into the rear portion of the property is reasonable. The proposed rezoning is compatible with the present zoning and conforming uses of nearby properties and to the character of the surrounding area along Ivy Lane. The current low density residential use of the property would not be changed as a result of the rezoning.

**ALTERNATIVES:**

Deny the request.

**OTHER CONSIDERATIONS:**

Not Applicable

**CONFORMITY TO CITY POLICY:**

The proposed rezoning is consistent with the City’s Comprehensive Plan and the Future Land Use Plan.

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Legal and Planning Commission

**FINANCIAL IMPACT:**

Operating       Revenue       Capital       Not applicable

<b>Fiscal Year: 2013-2014</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

**Comments:** None

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance with Exhibits  
 Report with Attachments  
 Aerial Overview Map