



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of May 14, 2024
Second Reading for the City Council Meeting of May 21, 2024

DATE: April 19, 2024

TO: Peter Zaroni, City Manager

FROM: Al Raymond, Development Services Department
Alraymond@cctexas.com
(361) 826-3275

**Rezoning for a property at or near
3345 Gollihar Road and 4500 Kirkwood Drive**

CAPTION:

Zoning Case No. ZN8199, Barajas Family Corporation (District 2). Ordinance rezoning a property at or near 3345 Gollihar Road and 4500 Kirkwood Drive from the "ON" Neighborhood Office District and the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval).

SUMMARY:

This item is to rezone the property to allow a commercial use; particularly, a retail plaza with a potential restaurant use.

BACKGROUND AND FINDINGS:

The subject property is a 1.15-acre, vacant and undeveloped, parcel in the southeast area of the city, located along Gollihar Road, a 90-foot undivided minor arterial right-of-way, and two local residential roads along the eastern and southern boundaries of the site. Generally, the surrounding neighborhood consists mainly of low-density residential subdivisions, particularly along the north side of Gollihar Road, the east side of Kirkwood Drive, and the south side of Mahan Drive, that date to the early 1950s.

The properties immediately to the north of the subject parcel and Gollihar Road are zoned "RS-6" Single-Family 6 and "ON" Neighborhood Office with the low-density residential subdivisions of Randall Place and Kirkwood, and a non-conforming retail sales and services commercial use permitted by the preceding zoning ordinance. The properties to the south and east are zoned "RS-6" Single-Family 6 District and are developed as the Mahan Acres and Central Park subdivisions south of Mahan Drive and east of Kirkwood Drive, and Kirkwood and a portion of Central Park, to the east. The properties to the west are zoned "RS-6" Single-Family 6 District and "ON" Neighborhood Office District with the low-density residential Coggin subdivision and the Gollihar Neighborhood Center that hosts a child daycare center.

The applicant is requesting an amendment to the zoning map to allow a retail plaza with a potential restaurant use. The current zoning districts limits principal use of the subject parcel to office and single-family; and where a commercial use could occur, retail and sales services and restaurant uses must be subordinate to a principal use.

The “CN-1” Neighborhood Commercial District permits office uses, multifamily dwellings, certain indoor recreation uses, retail sales, and service uses, medical facility uses, overnight accommodation uses, and restaurant uses less than 5,000 square feet in gross floor area, except for detention facilities, medical facilities, places of worship, and community services uses.

The proposed rezoning is consistent with many goals of Plan CC; however, is partially inconsistent with the FLUM’s designation of Medium-Density Residential for the three lots along Kirkwood Drive. The inner lot has a FLUM designation of commercial.

Public Input Process

Number of Notices Mailed: 30 notices were mailed within the 200-foot notification area, and 6 outside the notification area.

As of May 10, 2024:

In Favor 0 inside notification area 0 outside notification area	In Opposition 0 inside notification area 0 outside notification area
---	--

A total of 0.00% of the 200-foot notification area is in opposition.

ALTERNATIVES:

Approval of the change of zoning to the “ON/SP” Neighborhood Office District with a Special Permit.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDATION:

Planning Commission and Staff recommend approval of the change of zoning from the “RS-6” Single-Family 6 District and “ON” Neighborhood Office District to the “CN-1” Neighborhood Commercial District on April 3, 2024.

Vote Results

For: 7

Against: 0

Absent: 1

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Presentation - Aerial Map

Planning Commission Final Report