



## AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of February 12, 2013  
Second Reading/Action Item for the City Council Meeting of February 26, 2013

**DATE:** February 7, 2013

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

**FROM:** Mark E. Van Vleck, P.E., Interim Director, (Development Services)  
Department  
MarkVV@cctexas.com  
(361) 826-3246

**PUBLIC HEARING – CHANGE OF ZONING**  
**Brooke Tract, L.P. (Case No. 0113-01)**  
**Change from “RS-6” Single-Family 6 District to “RM-1” Multifamily 1 District**  
**Property Address: 7201 Brooke Road**

### **CAPTION:**

Case No. 0113-01 Brooke Tract, L.P.: A change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District, resulting in a change of future land use from low density residential to medium density residential. The property is described as 39.99 acres out of Lots 16, 17, 18, 19, 28, 29, and 30, Section 26, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Rodd Field Road and Brooke Road.

### **PURPOSE:**

The purpose of this item is to rezone the property to allow multifamily uses.

### **RECOMMENDATION:**

Planning Commission and Staff Recommendation (January 16, 2013):  
Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District.

### **BACKGROUND AND FINDINGS:**

As detailed in the attached Zoning Report, the applicant is requesting a change of zoning from the “RS-6” Single-Family 6 District to the “RM-1” Multifamily 1 District to allow construction of an apartment complex on an approximately 40-acre site with a maximum potential density of 22 dwelling units per acre.

Staff has determined that the subject property is suitable for a medium-density apartment complex. This rezoning is compatible with the present zoning and conforming uses of nearby properties, and does not have a negative impact on the surrounding

neighborhood. Although inconsistent with the adopted Future Land Use Plan, developing apartments will maintain the residential nature of the property in this area.

**ALTERNATIVES:**

1. Approve an intermediate zoning district; or
2. Deny the request.

**OTHER CONSIDERATIONS:**

The zoning case is considered controversial because the owners north of Brooke Road attended the Planning Commission meeting and voiced their opposition and submitted a petition opposing the change of zoning.

**CONFORMITY TO CITY POLICY:**

The proposed change of zoning is in the Southside Area Development Plan and is not consistent with the adopted Future Land Use Plan, which slates the property for a low density residential use. The rezoning, however, would be appropriate for this location and it is consistent with elements of the Comprehensive Plan, such as locating medium density residential developments in areas with convenient access to an arterial-type roadway.

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Planning/Environmental Services, Legal, and Planning Commission

**FINANCIAL IMPACT:**

- Operating       Revenue       Capital       Not applicable

<b>Fiscal Year: 2012-2013</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				
<b>BALANCE</b>				

Fund(s):

**Comments:** None

**LIST OF SUPPORTING DOCUMENTS:**

- PowerPoint Slides
- Zoning Report with Attachments
- Ordinance with Exhibits