



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of May 28, 2013
Second Reading for the City Council Meeting of June 11, 2013

DATE: May 7, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Rezoning from Estate Residential to Low Density Residential for
Kitty Hawk Development, Ltd.
Property Address: 9142 South Staples Street**

CAPTION:

Case No. 0413-02 Kitty Hawk Development, Ltd.: A change of zoning from the "RE" Residential Estate District to the "CN-1" Neighborhood Commercial District on Tract 1, the "RE" Residential Estate District to the "RS-15" Single-Family 15 District on Tract 2, and the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District on Tract 3. The property is described as being a 58.969-acre tract of land out of the south half of Section 31, Laureles Farm Tracts, located along the south side of South Staples Street (FM 2444) and along the east side of County Road 41.

PURPOSE:

The purpose of this item is to allow development of a single-family subdivision with minimum lot sizes of 15,000 square feet and reduce the amount of neighborhood commercial zoning.

RECOMMENDATION:

Planning Commission and Staff Recommendation (April 24, 2013):

Approval of the change of zoning from the "RE" Residential Estate District to the "CN-1" Neighborhood Commercial District on Tract 1, from the "RE" Residential Estate District to the "RS-15" Single-Family 15 District on Tract 2, and from the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District on Tract 3.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the applicant is requesting a rezoning to allow a single-family subdivision with minimum lot sizes of 15,000 square feet and reduce the amount of neighborhood commercial zoning from 17 acres to 5.36 acres.

The development is an expansion of the Kitty Hawk Subdivision to the south and east and will have access to South Staples Street (FM 2444) and County Road 41. The proposed change of zoning is compatible with current zoning and development patterns in the area and is not expected to have a negative impact on the surrounding neighborhood.

ALTERNATIVES:

1. Approve an intermediate zoning district;
2. Approval of a special permit; or
3. Deny the request.

OTHER CONSIDERATIONS:

Because the area does not have wastewater service and the subdivision will utilize septic tank systems, the minimum lot size required for platting will be one-half acre.

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southside Area Development Plan. The proposed rezoning is not consistent with the Future Land Use Plan, which slates the property for 17 acres of commercial uses and estate residential uses (one-acre sized lots).

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:

- Operating
 Revenue
 Capital
 Not applicable

Fiscal Year: 2012-2013	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:

- Aerial Overview Map
- Zoning Report with Attachments
- Ordinance with Exhibits