



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of February 11, 2014
Second Reading Ordinance for the City Council Meeting of February 18, 2014

DATE: January 16, 2014

TO: Ronald L. Olson, City Manager

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

**Rezoning from Commercial and Apartments to Single-Family Residential
By The Mostaghasi Investment Trust
Property Address: 2346 Rodd Field Road**

CAPTION:

Case No. 0114-03 The Mostaghasi Investment Trust: A change of zoning from the "RM-1" Multifamily 1 District and "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District, resulting in a change to the Future Land Use Plan from commercial and medium-density residential uses to low-density residential uses. The property is described as being a 15.567-acre tract of land, more or less, out of Lot 3, Block 1, The Forum Mall, and out of a portion of Lot 15, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, located on the east side of Rodd Field Road and approximately 600 feet north of Wooldridge Road.

PURPOSE:

The purpose of this item is to rezone the property to allow a single-family residential subdivision.

RECOMMENDATION:

Planning Commission and Staff Recommendation (January 15, 2014):
Approval of rezoning from the "RM-1" Multifamily 1 District and the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the subject property is predominantly zoned "RM-1" Multifamily 1 District with the access road being zoned "CN-1" Neighborhood Commercial District. The applicant is requesting a rezoning to the "RS-4.5" Single-Family 4.5 District to allow the construction of a single-family subdivision on 15.567

acres. The subject property has remained undeveloped since it was originally platted in 1984 almost 30 years. Rezoning to a single-family district will allow development of this underutilized piece of land to meet residential housing demand.

Although single-family dwellings are allowed in the “RM-1” Multifamily 1 District, a multifamily zoning district requires upsized infrastructure for multifamily rather than single-family uses. Therefore, the applicant is rezoning the subject property in order to not have to install larger than necessary infrastructure for single-family dwellings.

Although inconsistent with the adopted Future Land Use Plan, the proposed rezoning is compatible with the surrounding zoning districts and land uses. This rezoning will expand the “RS-4.5” Single-Family 4.5 District located east of the subject property. Expanding the “RS-4.5” Single-Family 4.5 District to the east will not result in significant adverse effects on the surrounding properties. This rezoning would require the commercial properties on Rodd Field Road to increase their buffer yard requirements somewhat beyond what would have been required if the subject property were to remain zoned “RM-1” Multifamily 1 District. Additionally, expansions of the commercial buildings would be required to setback from the single-family dwellings a distance twice the height of the commercial buildings.

ALTERNATIVES:

Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southside Area Development Plan. The proposed rezoning to the “RS-4.5” Single-Family 4.5 District is not consistent with the adopted Future Land Use Plan’s designation of the property for commercial uses along Rodd Field Road and medium-density residential uses on the majority of the property. However, the proposed rezoning is compatible with the surrounding properties and the subject property is suited for single-family uses. Additionally, single-family uses are allowed in a multifamily zoning district.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

- Operating Revenue Capital Not applicable

Fiscal Year: 2013-2014	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 Map
- Report with Attachments
- Ordinance with Exhibits