



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of February 10, 2015
Second Reading for the City Council Meeting of February 17, 2015

DATE: January 30, 2015

TO: Ronald L. Olson, City Manager

FROM: Dan M. Grimsbo, P.E., Director, Development Services Department
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**Rezoning from Residential Estate to Single-Family
For MPM Development LP
Property Address: 8410 South Staples Street**

CAPTION:

Case No. 0115-03 MPM Development LP: A change of zoning from the "RS-22" Single-Family 22 District to the "RS-15" Single-Family 15 District, not resulting in a change to the Future Land Use Plan. The property is described as Lots 1 through 7, Block 1 and Lots 1 through 28, Block 2, King Estates Unit 4, located near the southeast corner of South Staples Street (FM 2444) and South Oso Parkway.

PURPOSE:

The purpose of this item is to reduce side yard requirements from ten feet to five feet in the 35-lot subdivision.

RECOMMENDATION:

Planning Commission and Staff Recommendation (January 14, 2015): Denial of the change of zoning from the "RS-22" Single-Family 22 District to the "RS-15" Single-Family 15 District and, in lieu thereof, approval of a change of zoning to the "RS-22/SP" Single-Family 22 District with a Special Permit subject to the following conditions:

1. **Permitted Uses:** The only uses authorized by this Special Permit are those authorized by the "RS-22" Single-Family 22 District.
2. **Setbacks:** The Property shall provide a minimum side yard setback of five feet. All other setbacks, open space, and height requirements shall comply with the "RS-22" Single-Family 22 District.
3. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is requesting a rezoning from the “RS-22” Single-Family 22 District to the “RS-15” Single-Family 15 District in order to reduce side yard requirements from ten feet to five feet. The applicant/developer will construct homes ranging in size from 2,500 square feet to 3,500 square feet.

The proposed rezoning is compatible with the surrounding developments, and would not have a negative impact on surrounding properties. The subject property is suited for the proposed project. The applicant is agreeable to the Special Permit recommended by Planning Commission/Staff.

ALTERNATIVES:

1. Approve the Planning Commission/Staff recommendation of “RS-22/SP” Single-Family 22 District with a Special Permit (as recommended).
2. Approve the “RS-15” Single-Family 15 District
3. Deny the request altogether.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The Comprehensive Plan and the London Area Development Plan (ADP) slate the subject property for low density residential uses. The proposed change of zoning to the “RS-15” Single-Family 15 District or to the “RS-22/SP” Single-Family 22 District with a Special Permit (as recommended) is consistent with the adopted Future Land Use Plan.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2014-2015	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:

Presentation - Aerial Map

“RS-22/SP” Ordinance with Exhibits

“RS-15” Ordinance with Exhibits

Planning Commission Final Report with Attachments