



## AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of October 20, 2105  
Second Reading for the City Council Meeting of October 27, 2015

**DATE:** September 28, 2015

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

**FROM:** Dan M. Grimsbo, P.E., Director, Development Services Department  
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### Public Hearing and First Reading for Property at 4625 Whataburger Way

#### **CAPTION:**

Case No. 0915-03 TWF Partners, LLC: A change of zoning from the "RM-1" Multifamily 1 District to the "ON" Office District, resulting in a change to the Future Land Use Map from medium density residential to professional office uses. The property is described as Lot 11-D, Block 4, Parkdale Village, located on the southwest corner of Mildred Drive and Whataburger Way.

#### **PURPOSE:**

The purpose of this item is to rezone the property to allow development of a professional office.

#### **RECOMMENDATION:**

Planning Commission and Staff Recommendation (September 9, 2015):  
Approval of the change of zoning from the "RM-1" Multifamily 1 District to the "ON" Office District.

#### **BACKGROUND AND FINDINGS:**

As detailed in the attached report, the applicant is requesting a rezoning from the "RM-1" Multifamily 1 District to the "ON" Office District for development of professional offices. It is staff's opinion that the proposed rezoning to the "ON" Office District would not negatively impact the adjacent residential properties because it is consistent with development patterns due north and would provide a land use transition between the commercial to the north and adjacent residential neighborhood. The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed amendment and it is staff's opinion that the proposed rezoning is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area. The rezoning is consistent with elements of the City's

Comprehensive Plan, is compatible with the adjacent neighborhood and land uses and would not have a negative impact on the surrounding neighborhood.

**ALTERNATIVES:**

1. Deny the request.

**OTHER CONSIDERATIONS:**

Not Applicable

**CONFORMITY TO CITY POLICY:**

The requested rezoning complies with elements of the Comprehensive Plan and Southeast Area Development Plan, but it does not match the Future Land Use Map, which designates the property for multifamily uses (medium-density residential uses).

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Legal and Planning Commission

**FINANCIAL IMPACT:**

- Operating       Revenue       Capital       Not applicable

<b>Fiscal Year: 2015-2016</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:**

- Location Aerial Map
- Ordinance
- Planning Commission Final Report