



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of September 17, 2024
Second Reading for the City Council Meeting October 15, 2024

DATE: August 19, 2024

TO: Peter Zaroni, City Manager

FROM: Al Raymond, Development Services Department
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**Rezoning for a property at or near
7868 Yorktown Boulevard.**

CAPTION:

Zoning Case No. ZN8268, JAR Development, LLC (District 5). Ordinance rezoning a property at or near 7868 Yorktown Boulevard from the "RS-4.5 Single-Family 4.5 District to the "CN-2" Neighborhood Commercial District providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and staff recommend approval) (6 votes required)

SUMMARY:

This item is to rezone the property to allow for a retail center.

BACKGROUND AND FINDINGS:

The subject property is vacant and was part of a previous rezoning request for 24.49 acres from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District. The rezoning was approved on October 13, 2020.

To the north, the property use is agriculture zoned "RS-4.5" Single-Family 4.5 District. To the south, is the Riverbend Unit 1 Subdivision, which is medium-density residential, zoned "RS-4.5", to the east is also a medium-density subdivision, Azali Estates Unit 1, zoned "RS-4.5". To the east, properties are vacant along Yorktown Boulevard Zoned "CN-1", while the remaining property is medium-density residential, zoned "RS-4.5."

The applicant is requesting the rezoning to create retail uses along Yorktown Boulevard. The requested "CN-2" Neighborhood Commercial District permits office uses, limited indoor recreation, retail sales and service, medical facilities, and overnight accommodations. Bars/Taverns are not a permitted use.

The UDC has buffering requirements for commercial zones adjacent to residential zones and these are reviewed and determined during the building permit review

process. This proposed project has a proposed street between the commercial and residential which exceeds the UDC requirements for buffering and screening.

A Traffic Impact Analysis (TIA) is not required as the peak hour worksheet submitted with the application does not meet the UDC threshold requiring a TIA.

The proposed rezoning is inconsistent with the Southside ADP and FLUM designation of medium-density residential

Public Input Process:

Number of Notices Mailed: 19 notices were mailed within the 200-foot notification area, and 1 outside the notification area.

As of August 19, 2024:

In Favor	In Opposition
0 inside notification area	0 inside notification area
0 outside notification area	0 outside notification area

A total of 0.00% of the 200-foot notification area is in opposition.

ALTERNATIVES:

Denial of the change of zoning from the “RS-4.5” Single-Family 4.5 District to the “CN-2” Neighborhood Commercial District.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDATION (August 7, 2024):

Planning Commission and Staff recommend approval of the change of zoning from the “RS-4.5” Single-Family 4.5 District to the “CN-2” Neighborhood Commercial District.

Vote Results

For: 6

Against: 0

Absent: 2

Abstained: 0

Vacant: 1

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Presentation - Aerial Map

Planning Commission Final Report