



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of July 9, 2013
Second Reading for the City Council Meeting of July 16, 2013

DATE: May 23, 2013

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 Farm/Rural to Residential Estate for
Solomon and Lisa De La Fuente
Property Address: 7850 Starry Road**

CAPTION:

Case No. 0513-03 Solomon and Lisa De La Fuente: A change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District, resulting in a change to the Future Land Use Plan from park to estate residential. The property is described as being a 3.86-acre tract of land out of Lot 15, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, located on the northeast corner of Starry Road and Starry Circle, approximately one-half mile south of Yorktown Boulevard.

PURPOSE:

The purpose of this item is to rezone the subject property to allow the construction of a single-family dwelling on a tract of land less than five acres in area.

RECOMMENDATION:

Planning Commission and Staff Recommendation (May 22, 2013):
Approval of the change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the applicant is requesting a change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District in order to construct a single-family residence on a tract of land less than five acres in area. The proposed change of zoning is compatible with current land uses in the area and would not 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:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southside Area Development Plan and the proposed rezoning is inconsistent with the adopted Future Land Use Plan, which slates the property for a park use. The City owns approximately 150 acres in this area fronting the Oso Creek, which is planned as part of the Oso Creek-Oso Bay Green Belt, Parks and Trail System. The subject property does not have frontage on the Oso Creek and is not intended to become part of the park property. Therefore, changing the Future Land Use Plan’s designation of the subject property from park to low-density residential is appropriate.

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