



AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of December 17, 2013
Second Reading Ordinance for the City Council Meeting of January 14, 2013

DATE: November 21, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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**Rezoning from Commercial to Residential for
Luxury Spec Homes, Inc.
Property Address: 4050 Acushnet Drive**

CAPTION:

Case No. 1113-01 Luxury Spec Homes, Inc.: A change of zoning from the "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 to low-density residential uses. The property is described as Lot 13, Block 2, Country Club Estates Unit 20, located on the north side of Acushnet Drive, approximately 525 feet east of Weber Road (FM 43).

PURPOSE:

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

RECOMMENDATION:

Planning Commission and Staff Recommendation (November 20, 2013):

Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the applicant is requesting a rezoning to allow the construction of a single-family subdivision. This rezoning would expand the residential district located east and south of the property. Although inconsistent with the adopted Future Land Use Plan, expanding the residential district would not adversely affect the surrounding properties and it is compatible with the surrounding zoning districts. The subject property has been undeveloped since it was platted almost 15 years ago. Rezoning to a single-family district would allow development of this underutilized piece of land to meet residential housing demand.

ALTERNATIVES:

Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The proposed change of zoning is within the boundaries of the Southside Area Development Plan and is inconsistent with the adopted Future Land Use Plan, which slates the property for a commercial use. However, this rezoning would expand the existing single-family district to the east and south and subject property is suited for single-family development.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, 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 Overview Map
- Zoning Report with Attachments
- Ordinance with Exhibits