



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of August 9, 2016
Second Reading for the City Council Meeting of August 16, 2016

DATE: July 19, 2016

TO: Margie C. Rose, City Manager

FROM: Daniel McGinn, Interim Director, Development Services Department
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Public Hearing and First Reading for Property at 2002 and 2020 Ramfield Road

CAPTION:

Case No. 0716-01 The Estate of Joan Wakefield Urban: A change of zoning from the "RS-6" Single-Family 6 District and "FR" Farm Rural District to the "IL" Light Industrial District on Tract 1 and from the "RS-6" Single-Family 6 District and "FR" Farm Rural District to the "RS-22" Single-Family 22 District on Tract 2. Tract 1 is described as being 4.64 acres and Tract 2 being 23.59 acres with both tracts being out of Lots 31 and 32, Section 39, Flour Bluff and Encinal Farm and Garden Tracts, located on the northeast corner of Roscher Road and Ramfield Road.

PURPOSE:

The purpose of this item is to bring an existing indoor/outdoor kennel into compliance with the current zoning regulations and allow half-acre single-family residential lots.

RECOMMENDATION:

Planning Commission and Staff Recommendation (July 13, 2016):

Tract 1: Denial of the change of zoning from the "RS-6" Single-Family 6 District and "FR" Farm Rural District to the "IL" Light Industrial District and, in lieu thereof, approval of the "RS-22/SP" Single-Family 22 District with a Special Permit subject to the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is an indoor/outdoor kennel limited to 17,000 square feet and 225 animals of which no more than 150 animals shall be dogs.
2. **Lighting:** New freestanding light poles on the Property shall not exceed 15 feet in height. The Owner shall comply with all other UDC lighting requirements. Any

nonconforming freestanding lights existing on the Property shall comply with these regulations upon being replaced in their entireties.

3. **Signage:** The Property shall be permitted to have one freestanding sign on Roscher Road and one freestanding sign Ramfield Road. The signs shall be no taller than six feet in height with a sign face no larger than nine square feet.
4. **Dumpster Screening:** Any dumpster located on the Property shall be located a minimum of 40 feet from Roscher Road and Ramfield Road and shall be effectively screened from view using shrubs and/or trees.
5. **Time Limit:** In accordance with the UDC, this Special Permit shall expire 12 months after approval unless a certificate of UDC compliance has been issued. The Special Permit shall expire if the special permit use is discontinued for more than six consecutive months.

Tract 2: Approval of the change of zoning from the “RS-6” Single-Family 6 District and “FR” Farm Rural District to the “RS-22” Single-Family 22 District.

Vote Results

For: 8

Against: 0

Absent: 1

BACKGROUND AND FINDINGS:

As detailed in the attached report, on Tract 1 the applicant is requesting a rezoning from the “RS-6” Single-Family 6 District and “FR” Farm Rural District to the “IL” Light Industrial District to bring an existing dog kennel with outdoor dog runs into compliance with the Unified Development Code (UDC). Kennels are not allowed in the “RS-6” District. While indoor kennels are allowed in the “FR” Farm Rural District, outdoor kennels are not. The minimum zoning required for an outdoor kennel is the “IL” District. The applicant is agreeable to a Special Permit in lieu of the “IL” District.

On Tract 2, the applicant is requesting a rezoning from the “RS-6” Single-Family 6 District and “FR” Farm Rural District to the “RS-22” Single-Family 22 District for future development of single-family dwellings on lots of no less than 22,000 square feet.

In staff’s opinion, a reasonable solution to allowing an existing use to conform and to protect the future development of the neighborhood is rezoning with a Special Permit for Tract 1. The proposed rezoning is generally consistent with the Comprehensive Plan goals of following Navy land use guidelines for Accident Potential Zones 1 and 2. A large portion of Tract 2 is currently zoned “RS-6” Single-Family 6 District, which allows up to 7.26 units per acre. Rezoning Tract 2 to the “RS-22” Single-Family 22 District substantially improves the City’s compliance with the Navy recommended land uses by limiting density to one dwelling unit per half-acre. Rezoning Tract 2 to the minimum half-acre lot size (“RS-22” District) is consistent with City infrastructure availability as there is no current feasible access to City wastewater and one-half acres is the minimum lot size required for on-site waste disposal systems. The Special Permit on Tract 1 meets all of the review criteria required by UDC Article 3.6.3.

The applicant is in agreement with the staff and Planning Commission's recommendation.

ALTERNATIVES:

1. Deny the request.
2. Modify the conditions of the Special Permit.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Flour Bluff Area Development Plan. The applicant's request for the "RS-22" District is consistent with the Future Land Use Map on that portion of Tract 2 along Roscher Road where it is designated for future Low Density Residential uses. Although the applicant's request for the "IL" Light Industrial District on Tract 1 and "RS-22" District on the portion of Tract 2 on Ramfield Road is not consistent with the designation of Low Density Residential and Agricultural/Rural uses respectively in the Future Land Use Plan, the rezoning is generally consistent with the Flour Bluff Area Development Plan's goals to encourage development that is consistent with the Navy's Accident Potential Zone land use guidelines. While a Light Industrial use is not appropriate for this neighborhood, a Special Permit allowing the kennel use and creating compatibility with the neighborhood would comply with the City's Comprehensive Plan and Flour Bluff Area Development Plan while also meeting the land use goals of the Joint Land Use Study.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2015-2016	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:

Ordinance-SP

Ordinance-IL

Presentation - Aerial Map

Planning Commission Final Report