



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of May 12, 2015
Second Reading for the City Council Meeting of May 19, 2015

DATE: April 21, 2015

TO: Ronald L. Olson, City Manager

FROM: Dan M. Grimsbo, P.E., Director, Development Services Department
DanG@cctexas.com
(361) 826-3595

**Rezoning from Single-Family 6 to Single-Family 4.5
For Superior N&R Development, LLC
Property Address: 817 Graham Road**

CAPTION:

Case No. 0415-02 Superior N&R Development, LLC: A change of zoning from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as 19.697 acres out of Lot 22, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located south of Graham Road between Ruddock Drive and Dove Lane.

PURPOSE:

To allow the construction of a single-family subdivision.

RECOMMENDATION:

Staff Recommendation: Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District.

Planning Commission (April 8, 2015): Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is requesting a rezoning from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District. The applicant plans to develop the 19.67 acre property for a single-family residential subdivision. The minimum development standards for the “RS-4.5” Single-Family 4.5 District are 4,500 square foot lots, 45-foot lot widths and 20-foot front yard setbacks. The proposed rezoning would not negatively impact the surrounding properties and the property to be rezoned is suitable for the proposed uses. The rezoning is consistent with the Comprehensive Plan. The proposed rezoning is compatible with the present zoning and conforming uses of nearby properties and to the character of the surrounding area.

Planning Commission discussed concerns about increased density and impacts to existing wetlands. It was noted, however, the property is currently zoned “RS-6” Single-Family 6 District, which allows single-family development to occur today.

Neighboring residents submitted letters in opposition citing various concerns about density, wetlands disturbance, and drainage. Copies of their comments are provided in the attached report. The land area represented by the residents in opposition totals 43% of the area within 200 feet of the rezoning.

Due to the Planning Commission’s recommendation of denial and due to opposition totaling more than 20%, approval of this rezoning will require three-fourths of all City Council members to vote in favor.

ALTERNATIVES:

1. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is within the boundaries of the Flour Bluff ADP. The proposed rezoning is consistent with the adopted Future Land Use Plan, which slates the property for low density residential uses.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

- Operating
 Revenue
 Capital
 Not applicable

Fiscal Year: 2014-2015	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:

Presentation - Aerial Map

Ordinance

Planning Commission Final Report