



AGENDA MEMORANDUM

Public Hearing/First Reading for the City Council Meeting of February 26, 2013
Second Reading for the City Council Meeting of March 19, 2013

DATE: January 31, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
MarkVV@cctexas.com
(361) 826-3246

PUBLIC HEARING – CHANGE OF ZONING
Jose Luis Martinez and Frances Martinez (Case No. 0113-02)
Change from “ON” Office District to “RS-6” Single-Family 6 District
Property Address: 10625 Gettysburg St.

CAPTION:

Case No. 0113-02 Jose Luis Martinez and Frances Martinez: A change of zoning from the “ON” Office District to the “RS-6” Single-Family 6 District, resulting in a change of future land use from park to low density residential. The property is described as Jackson Woods Subdivision Unit 1, Block G, Lot 17, located on the southeast corner of Gettysburg Street and Peach Tree Street.

PURPOSE:

The purpose of this item is to rezone the property to allow single-family houses.

RECOMMENDATION:

Planning Commission and Staff Recommendation (January 30, 2013):
Approval of the change of zoning from the “ON” Office District to the “RS-6” Single-Family 6 District.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the applicants are requesting a rezoning to allow a single-family house on their property, which was part of a site of a former community center. A single-family house was built on the property in 1997 at a time when the former Zoning Ordinance allowed houses in the Office District. When the Unified Development Code (UDC) went into effect, single-family houses were no longer allowed in the Office District.

The owners of this house are attempting to receive a mortgage on the property. Because the property does not conform to current code, this house cannot be rebuilt if it were destroyed by more than 50% by a natural event. Therefore, the financial institution will not approve the mortgage. The applicant does not have plans to redevelop the property or change its use.

ALTERNATIVES:

1. Approve an intermediate zoning district; or
2. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The proposed change of zoning is in the Northwest Area Development Plan and is not consistent with the adopted Future Land Use Plan, which slates the property for a park use. The rezoning, however, would be appropriate for this location and it is consistent with the surrounding properties. Additionally, parks are an allowed use in the requested zoning district (“RS-6” District).

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