



## **AGENDA MEMORANDUM**

Public Hearing and First Reading for the City Council Meeting of July 11, 2017  
Reconsideration and First Reading July 18, 2017  
Second Reading for the City Council Meeting of July 25, 2017

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**DATE:** July 19, 2017

**TO:** Margie C. Rose, City Manager

**FROM:** William J. Green, P.E., Interim Director, Development Services  
Department  
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<p><b>Public Hearing and First Reading for Property located at 4626 Weber Road</b></p>
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**CAPTION:**

Case No. 0317-07 Mohammed Motaghi: A change of zoning from the "RS-6/SP" Single-Family 6 District with a Special Permit to the "ON" Neighborhood Office District. The property is described as being a 7.05 acre tract of land out of the replat of the Edwin E. Connor Tract, as recorded in Volume 40, Page 95, of the map records of Nueces County, Texas, located along the east side of Weber Road, south of Gollihar Road, and north of McArdle Road.

**PURPOSE:**

The purpose of this item is to rezone the property to allow for multifamily and commercial uses.

**RECOMMENDATION:**

Planning Commission and Staff Recommendation (May 17, 2017):

Denial of the change of zoning from "RS-6/SP" Single-Family 6 District with a Special Permit to the "CN-1" Neighborhood Commercial District, in lieu thereof approval of the "RS-6/SP" Single-Family 6 District with a Special Permit (SP) with conditions.

**Vote Results:**

For: 9  
Against: 0  
Absent: 0  
Abstained: 0

City Council Recommendation (July 18, 2017):

With City Council reconsideration, the recommendation is approval of the change of zoning from “RS-6/SP” Single-Family 6 District with a Special Permit to the “ON” Neighborhood Office District.

**BACKGROUND AND FINDINGS:**

As detailed in the attached report, the applicant is requesting a rezoning the “RS-6/SP” Single-Family 6 District with a Special Permit to the “CN-1” Neighborhood Commercial District to allow for multifamily and commercial uses.

The proposed rezoning is consistent with the Plan CC Comprehensive Plan. The proposed rezoning is also compatible the Southeast Area Development Plan, with neighboring properties, and with the general character of the surrounding area.

**ALTERNATIVES:**

1. Approve the “CN-1” Neighborhood Commercial District. (Requires  $\frac{3}{4}$  vote)
2. Deny the request.
3. Approve “ON” Neighborhood Office District (Requires  $\frac{3}{4}$  vote)

**OTHER CONSIDERATIONS:**

Approval of the “ON” Neighborhood Office District requires a  $\frac{3}{4}$  vote by the City Council per UDC, because it is a less restrictive zoning than the Planning Commission recommended.

**CONFORMITY TO CITY POLICY:**

The subject property is located within the boundaries of the Southeast Area Development Plan and is planned for Public/Semi-Public uses. The proposed rezoning to the “CN-1” Neighborhood Commercial is consistent with the adopted Future Land Use Map and the Southeast Area Development Plan.

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Legal and Planning Commission

**FINANCIAL IMPACT:**

☐ Operating      ☐ Revenue      ☐ Capital      ☒ Not applicable

<b>Fiscal Year: 2016-2017</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				

This item				
BALANCE				

Fund(s):

**Comments:** None

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

Presentation - Aerial Map

Planning Commission Final Report