



**AGENDA MEMORANDUM**  
Public Hearing & First Reading Ordinance for the City Council Meeting 10/25/2022  
Second Reading Ordinance for the City Council Meeting 11/1/2022

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**DATE:** October 25, 2022  
**TO:** Peter Zaroni, City Manager  
**FROM:** Al Raymond, AIA, Director  
Development Services Department  
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Rezoning a property at or near 14446 Northwest Boulevard

**CAPTION:**

Case No. 0922-03 Douglas and Joye Posey (District 1): Ordinance rezoning property at or near 14446 Northwest Boulevard, located along the northside of Northwest Boulevard, south of Riverwood Drive, and west of River Hill Drive from the “RS-6” Single-Family 6 District and the “CG-2” General Commercial District to the “CG-2” General Commercial District; Providing for a penalty not to exceed \$2,000 and publication.

**SUMMARY:**

The purpose of the request is to bring the land use and zoning together in appropriate zoning classification. The request will allow for the Unified Development Code required buffer zones. The clinic does not and will not board animals overnight.

**BACKGROUND AND FINDINGS:**

The subject property is 0.47 acres in size. To the north, properties are zoned “RS-6” Single-Family 6 and are identified with a commercial use. To the south, properties are zoned “CG-2” General Commercial District with a commercial office building. To the east, properties are zoned “RS-6” Single-Family 6 District and “ON” Neighborhood Office District a residence converted to a law office and public/semi-public uses. To the west, properties are zoned “CG-2” General Commercial and “ON” Neighborhood Office with commercial and professional office uses including a restaurant and physician offices.

After evaluation of case materials provided and subsequent staff analysis including land development, surrounding uses and zoning, transportation and circulation, utilities, Comprehensive Plan consistency, and considering public input, staff proposes denial of the change of zoning.

***Conformity to City Policy***

The proposed rezoning is inconsistent with the Future Land Use Map.

***Public Input Process***

Number of Notices Mailed

9 within a 200-foot notification area  
6 outside notification area

*As of September 13, 2022:*

In Favor

0 inside notification area

0 outside notification area

In Opposition

0 inside notification area

0 outside notification area

Totaling 0.00% of the 200-foot notification area\* is in opposition.

\*Created by calculating the area of land immediately adjoining the subject property and extending 200-foot therefrom. The opposition is totaled by the total area of land that each individual property owner owns converted into a percentage of the total 200-foot notification area. Notified property owner's land in square feet / Total square footage of all property in the notification area = Percentage of public opposition.

**ALTERNATIVES:**

1. Denial of the change of zoning from the "RS-6" Single-Family District and the "ON" Neighborhood Office District to the "CG-2" General Commercial District.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**RECOMMENDATION:**

Planning Commission recommended approval of the change of zoning from the "RS-6" Single-Family 6 District and the "CG" General Commercial District to the "CG-2" General Commercial District on September 7, 2022.

Vote Count:

For: 8

Opposed: 0

Absent: 1

Abstained: 0

Staff recommends denial of the change of zoning from the "RS-6" Single-Family 6 District and the "CG-2" General Commercial District to the "CG-2" General Commercial District in lieu of the "ON/SP" Neighborhood Office District with a Special Permit.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

Presentation - Aerial Map

Planning Commission Final Report