



## AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of January 13, 2015  
Second Reading for the City Council Meeting of January 20, 2015

**DATE:** December 23, 2014

**TO:** Ronald L. Olson, City Manager

**FROM:** Dan M. Grimsbo, P.E., Director, Development Services Department  
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**Rezoning from Residential to Commercial  
For Maxwell P. Dunne Funeral Service, Inc.  
Property Addresses: 5921 Yorktown Boulevard**

### **CAPTION:**

Case No. 1214-01 Maxwell P. Dunne Funeral Service, Inc.: A change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District, resulting in a change to the Future Land Use Plan, from low density residential to commercial uses. The property is described as a 2.13 acre tract of land out of Lot 20, Section 10, Flour Bluff and Encinal Farm and Garden Tracts, located on the southwest corner of Yorktown Boulevard and Loire Boulevard.

### **PURPOSE:**

The purpose of this item is to rezone the property to allow a neighborhood commercial use.

### **RECOMMENDATION:**

Planning Commission and Staff Recommendation (December 3, 2014):  
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial 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 "CN-1" Neighborhood Commercial District to construct a 10,000-square foot funeral home.

The proposed change of zoning is consistent with the Southside Area Development Plan and is not consistent with the adopted Future Land Use Plan, which slates the property for low density residential uses.

The proposed rezoning is consistent with the Comprehensive Plan, is compatible with

the surrounding developments, and would not have a negative impact on surrounding properties. The subject property is also suited for the proposed project.

**ALTERNATIVES:**

1. Deny the request.

**OTHER CONSIDERATIONS:**

Not Applicable

**CONFORMITY TO CITY POLICY:**

The rezoning is consistent with policies of the Southside Area Development Plan though it is not consistent with the adopted Future Land Use Plan, which slates the property for low density residential use.

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Legal and Planning Commission

**FINANCIAL IMPACT:**

- Operating       Revenue       Capital       Not applicable

<b>Fiscal Year: 2014-2015</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:**

- Presentation - Aerial Map
- Ordinance
- Planning Commission Final Report