



## AGENDA MEMORANDUM

Public Hearing & First Reading Ordinance for the City Council Meeting 09/21/21  
Second Reading Ordinance for the City Council Meeting 10/12/21

**DATE:** August 5, 2021  
**TO:** Peter Zanoni, City Manager  
**FROM:** Al Raymond, AIA, Director  
Development Services Department  
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Rezoning a property at or near 3413 South Staples Street

### **CAPTION:**

Zoning Case No. 0821-03, Sima and Steve, Inc.: (District 2) Ordinance rezoning property at or near 3413 South Staples Street from the "ON" Neighborhood Office District to the "CN-1" Neighborhood Commercial District.

### **SUMMARY:**

The purpose is for the allowance of commercial uses in tenant spaces.

### **BACKGROUND AND FINDINGS:**

The subject property is 0.65 acres in size. The subject property is currently zoned "ON" Neighborhood Office District, consists of a commercial building, and was rezoned from the "RS-6" Single-Family 6 District in 2017. To the north is a single-family subdivision (Casa Linda Estates; 1955) zoned "RS-6" Single-Family 6 District and an apartment complex (Buccaneer Apartments) zoned "RM-1" Multifamily District. To the south is a commercial multi-tenant strip center zoned "CN-1" Neighborhood Commercial District. To the east is a school and dry cleaners zoned "CN-1" Neighborhood Commercial District. To the west is a single-family subdivision (Casa Linda Estates; 1955) zoned "RS-6" Single-Family 6 District.

### ***Conformity to City Policy***

The subject property is located within the boundaries of the Midtown Area Development Plan and is planned for a commercial use. The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining properties, and does not have a negative impact upon the adjacent properties. Adjacent properties consist of similar commercial zoning districts near a minor commercial node at the intersection of South Staples Street and Carroll Lane. Additionally, the subject property is within ¼ mile of W.B. Ray High School.

### ***Public Input Process***

Number of Notices Mailed  
22 within 200-foot notification area  
1 outside notification area

As of August 19, 2021:

In Favor

1 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 zoning from the "ON" Neighborhood Office District to the "CN-1" Neighborhood Commercial District.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**RECOMMENDATION:**

Planning Commission recommended approval of the zoning from the "ON" Neighborhood Office District to the "CN-1" Neighborhood Commercial District on August 4, 2021.

*Vote Count:*

For: 6

Opposed: 0

Absent: 3

Abstained: 0

Staff recommends approval of the zoning request.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

Presentation - Aerial Map

Planning Commission Final Report