



## AGENDA MEMORANDUM

Public Hearing & First Reading Ordinance for the City Council Meeting 08/10/21  
Second Reading Ordinance for the City Council Meeting 08/17/21

**DATE:** June 14, 2021  
**TO:** Peter Zanoni, City Manager  
**FROM:** Al Raymond, AIA, Director  
Development Services Department  
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Rezoning a property at or near 9142 South Staples Street (FM 2444)

### **CAPTION:**

Zoning Case No. 0521-01, Kitty Hawk Development, Ltd.: (District 5) Ordinance rezoning property at or near 9142 South Staples Street (FM 2444) from the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District.

### **SUMMARY:**

The purpose of the rezoning request is to allow for the construction of single-family residential lots with access to City water utilities, but no wastewater or gas utilities.

### **BACKGROUND AND FINDINGS:**

The subject property totals 0.86 acres in size and is currently zoned "CN-1" Neighborhood Commercial District, consists of vacant land, and has remained since annexation in 1995. To the west are properties outside of the City Limits and consist of vacant undeveloped land. To the north, south, and east is property zoned "RS-15" Single-Family 15 District.

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

The subject property is located within the boundaries of the Southside 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 adjacent properties. However, the subject property has the future land use designation of commercial and therefore inconsistent with the future land use map. This said, the property was recently rezoned along with the surrounding "RS-15" properties in 2013. The proposed rezoning is compatible with neighboring properties and with the general character of the surrounding area. This rezoning does not have a negative impact upon the surrounding neighborhood.

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

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

As of June 11, 2021:

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 zoning to the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**RECOMMENDATION:**

The Planning Commission recommended approval of the zoning to the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District on June 9, 2021.

*Vote Count:*

For: 8

Opposed: 0

Absent: 1

Abstained: 0

Staff recommends approval of the zoning request.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

Presentation - Aerial Map

Planning Commission Final Report