



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of January 12, 2016
Second Reading for the City Council Meeting of January 19, 2016

DATE: December 22, 2015

TO: Ronald L. Olson, City Manager

FROM: Daniel McGinn, AICP CFM, Interim Director, Development Services Department
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<p>Public Hearing and First Reading for Rezoning Property at 1642 Clare Drive</p>
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CAPTION:

Case No. 1215-03 Roque Enriquez: A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, resulting in a change to the Future Land Use Map from low density residential to medium density residential uses. The property is described as being a 0.671 acre tract of land being the south 55.0 feet of Lot 23, and all of lot 24, Block 6, Woodlawn Estates, located on the northeast corner of Clare Drive and Williams Drive.

PURPOSE:

The purpose of this item is to rezone the property to allow for the construction of multifamily housing.

RECOMMENDATION:

Staff Recommendation:

Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District and, in lieu thereof, approval of a change to the "RS-TH" Townhouse District.

Planning Commission Recommendation (December 16, 2015):

Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District and denial of the staff recommendation of "RS-TH" Townhouse District.

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is proposing to change the designation of the subject property for the purpose of constructing multiple dwelling units on the subject property. The site plan shows six proposed dwelling units and the required

parking spaces. The apartment units are one-story and the developer intends to construct them like townhomes.

The proposed rezoning is not consistent with the adopted Future Land Use Map designation of the property as low density residential. Staff finds the "RM-1" designation unnecessary and not appropriate for this location. The "RS-TH" District is recommended in lieu of "RM-1" Multifamily 1 District based on the density permitted and compatibility with the adjacent single-family development. A rezoning to a low-density multifamily district and subsequent development of townhouse-style apartments will not have an adverse impact on the adjacent low density residential uses. A multiple dwelling project is appropriately located along a Collector roadway. The Townhouse District is appropriate for infill development. The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed amendment.

Approval of a rezoning (to the "RM-1" Multifamily 1 District or "RS-TH" Townhouse District) on this property will require $\frac{3}{4}$ of the council members to vote in favor. This case was recommend for denial by the Planning Commission and received opposition of over 20% (49.78% as of December 22, 2015) from the neighboring properties within the notice area. Either of these conditions triggers the need for the $\frac{3}{4}$ vote from the City Council for approval.

ALTERNATIVES:

1. Approve the rezoning to "RM-1" Multifamily 1 District as requested by the applicant
2. Deny the rezoning to the "RM-1" Multifamily 1 District and, in lieu thereof, approve the rezoning to "RS-TH" Townhouse District as recommended by staff.
3. Deny the rezoning of the property altogether.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning is not consistent with the adopted Future Land Use Map designation of the property as low density residential.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:☐ Operating☐ Revenue☐ Capital☒ Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None**LIST OF SUPPORTING DOCUMENTS:**

Presentation/Aerial Maps

Ordinance (Staff) for the "RS-TH" Townhouse District

Ordinance for the "RM-1" Multifamily 1 District

Planning Commission Final Report