

ZONING REPORT

Case No.: 0513-03
 HTE No. 13-10000017

Planning Commission Hearing Date: May 22, 2013

Applicant & Legal Description	<p>Applicant/Owner: Solomon and Lisa De La Fuente Representative: Urban Engineering Legal Description/Location: Being a 3.86-acre tract of land out of Lots 15, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, located south of Yorktown Boulevard along the east side of Starry Road.</p>			
Zoning Request	<p>From: "FR" Farm Rural District To: "RE" Residential Estate District Area: 3.86 acres Purpose of Request: To allow for a single-family residence on a lot less than five acres.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"FR" Farm Rural	Vacant	Park
	<i>North</i>	"FR" Farm Rural	Vacant	Park
	<i>South</i>	"FR" Farm Rural	Vacant/Low Density Residential	Park
	<i>East</i>	"FR" Farm Rural	Vacant/Low Density Residential	Park
	<i>West</i>	"FR" Farm Rural	Vacant	Low Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the Southside Area Development Plan (ADP) and is planned for park uses. The proposed change of zoning to the "RE" Residential Estate District is inconsistent with the adopted Future Land Use Plan. Map No.: 041029 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property is located at the corner of Starry Road and Starry Circle, which are local residential streets. The property has indirect access to Yorktown Boulevard, a proposed "A3" Primary Arterial street, via Starry Road.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Starry Road	Local Residential	50' ROW 28' paved	40' ROW 16' paved	Not Available
	Starry Circle	Local Residential	50' ROW 28' paved	40' ROW 16' paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “FR” Farm Rural District to the “RE” Residential Estate District in order to allow construction of a single-family residence on a tract of land less than five acres in area. Although the “FR” Farm Rural District allows for single-family residences, the “RE” Residential Estate District allows the proposed single-family property to meet the development standard of a minimum one-acre lot area for platting requirements.

Existing Land Uses & Zoning: North of the subject property is vacant land zoned “FR” Farm Rural District. South of the subject property is a 22.43-acre lot with a single-family residence zoned “FR” Farm Rural District. East of the subject property is a 20-acre lot with a single-family residence zoned “FR” Farm Rural District. West of the subject property is vacant land zoned “FR” Farm Rural District.

AICUZ: The subject property is not located in a Navy Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan (ADP) Consistency: The subject property is located within the boundaries of the Southside Area Development Plan and the proposed rezoning is inconsistent with the adopted Future Land Use Plan, which slates the property for a park use.

Plat Status: The subject property is not platted.

Department Comments:

- A single-family residence constructed in accordance with flood hazard reduction is an appropriate use for this undeveloped tract of land.
- The Future Land Use Plan designates the property for park uses. The City owns approximately 150 acres in this area fronting the Oso Creek, which is planned as part of the Oso Creek-Oso Bay Green Belt, Parks and Trail System. The subject property does not have frontage on the Oso Creek and is not intended to become

part of the park property. Therefore, changing the Future Land Use Plan's designation of the subject property from park to low-density residential is appropriate.

- The proposed change of zoning is compatible with current land uses in the area and would not have a negative impact on the surrounding neighborhood.

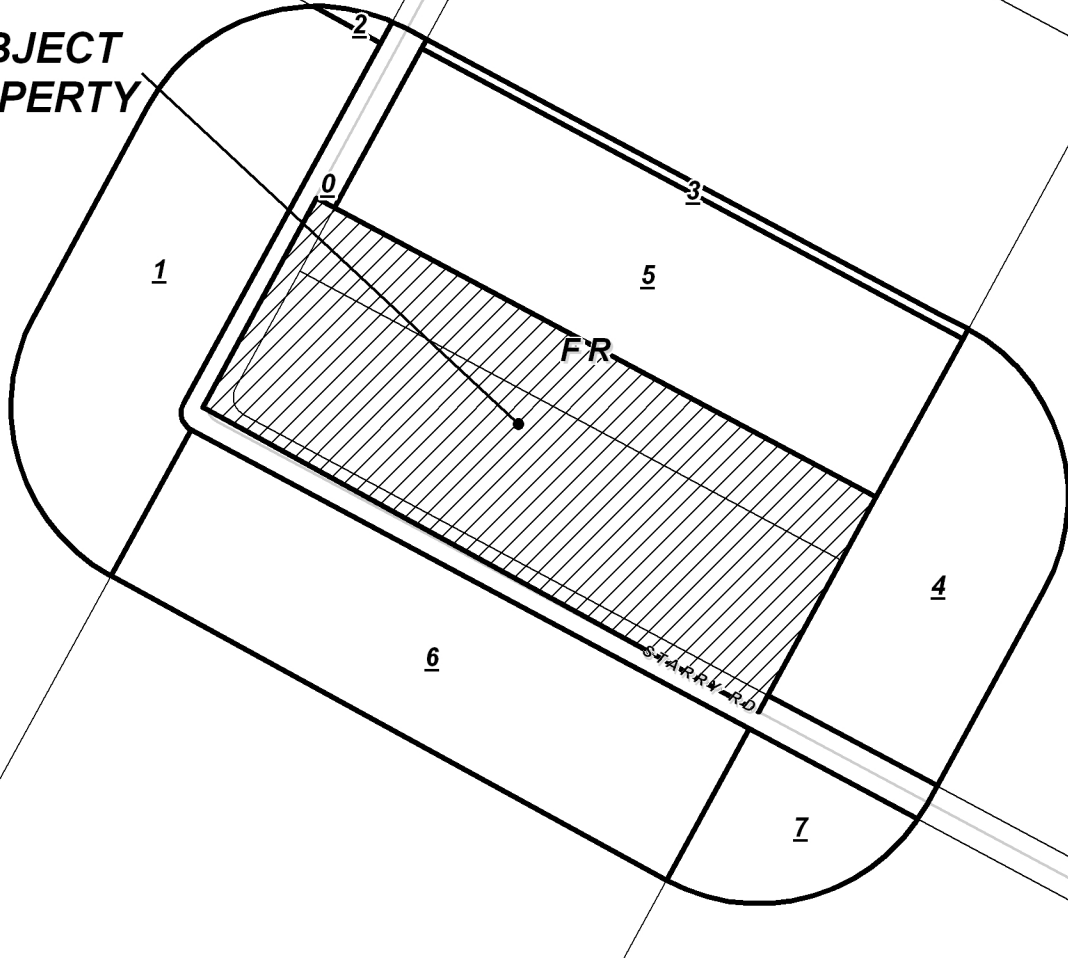
Planning Commission and Staff Recommendation (May 22, 2013):

Approval of the change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District.

Public Notification	Number of Notices Mailed – 5 within 200' notification area.
	<u>As of May 23, 2013:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 0 (inside notification area); 0 (outside notification area)
	For 0.00% in opposition.

Attachments: 1. Location Map (Existing Zoning & Notice Area)

SUBJECT PROPERTY



0 400 800 Feet

Date Created: 5/2/2013
Prepared By: jerefmym
Department of Development Services

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2. SITE - EXISTING ZONING,
NOTICE AREA & OWNERSHIP

RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF Two-Family
CR-1 Resort Commercial	RS-15 Single-Family 15
CR-2 Resort Commercial	RE Residential Estate
CG-1 General Commercial	RS-TH Townhouse
CG-2 General Commercial	SP Special Permit
CI Intensive Commercial	RV Recreational Vehicle Park
CBD Downtown Commercial	RMH Manufactured Home
CR-3 Resort Commercial	
FR Farm Rural	
H Historic Overlay	
BP Business Park	

Subject Property with 200' buffer

Owners in favor

4 Owners within 200' listed on attached ownership table

X Owners in opposition

