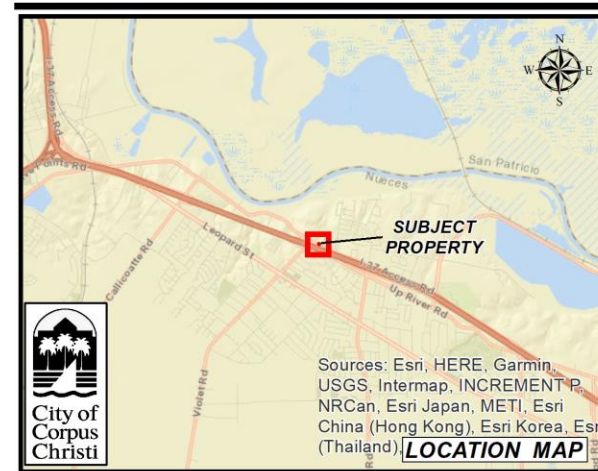
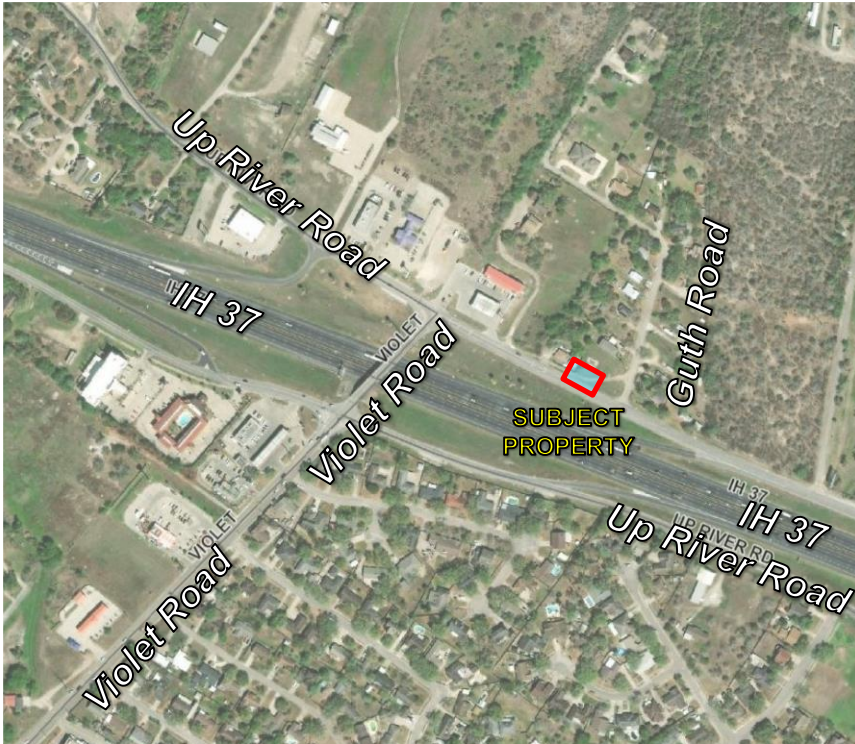


# Zoning Case #0322-02

**Elizabeth and Edelmiro Garza**

**Rezoning for a property at 11110 Interstate 37  
(aka Up River Road)  
From “RS-6” To “CN-1”**



City Council  
April 19, 2022

# Zoning Pattern and Adjacent Development



## Existing Zoning:

“RS-6” Single-Family 6 District

## Proposed Use:

Single-Family Residential with Mobile Vending Unit

## Adjacent Land Uses:

- North: Low-Density Residential (Vacant)
- South: Interstate
- East: Low-Density Residential (Vacant)
- West: Low Density Residential (Vacant)

# Public Notification

30 Notices mailed inside 200' buffer  
5 Notices mailed outside 200' buffer

## Notification Area

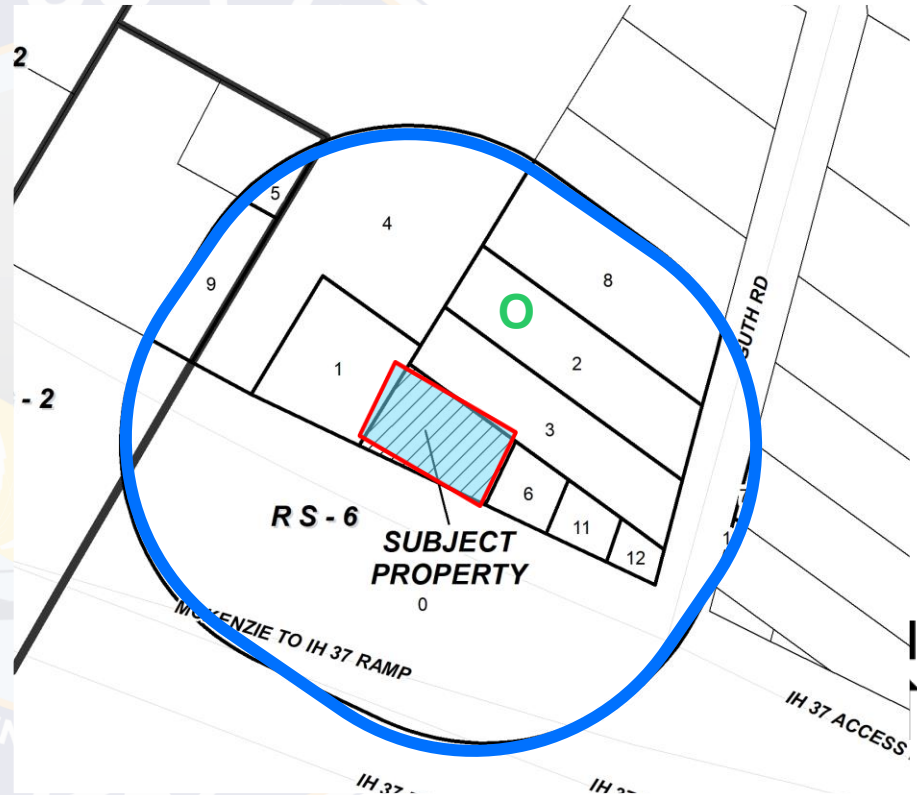
Opposed: 0 (0.00%)  
Separate Opposed Owners: 0



In Favor: 1 (7.24%)



*Notified property owner's land in square feet /  
Total square footage of all property in the  
notification area =  
Percentage of public opposition*





# Staff Analysis and Recommendation



- Although the proposed zoning is inconsistent with the Future Land Use Map, it is generally consistent with many broader elements of the with the Comprehensive Plan.
- Future Land Use Map for the subject property and more importantly surrounding properties considerably lacks uniformity with a mix of low-density-residential, medium-density residential as well as commercial uses in adjacency.
- Subject property is 150 feet to commercial zoning (“CG-2” General Commercial District, 7-Eleven) to the west and 450 feet commercial zoning (“CN-1” Neighborhood Commercial, vacant) to the east
- Due to the construction of IH-37, subject property is inconsistent with the original plat and has lost the original neighborhood character.
- The proposed rezoning will bring the property and associated uses into conformity with Unified Development Code
- However, a special permit with a single-family residential base zone will allow for the residential use by-right in addition to the accessory food truck.
- **Staff Recommendation:** Denial in lieu of a Special Permit and retaining the base zoning.

# Special Permit Conditions

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1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a restaurant use for an outdoor Mobile Vending Unit (MVU) as an accessory use.
  2. **Hours of Operation:** Hours of operation shall be from 6:00 A.M. to 10:00 P.M. daily.
  3. **Location of Mobile Vending Unit:** The Mobile Vending Unit must be established on-site and outside of the street yard setback. Additionally, the MVU shall not be placed nor operate within a right-of-way. The MVU may remain on-site for an unlimited period as an accessory use to the single-family home.
  4. **Utility Connections:** The MVU may connect to utilities on-site via the appropriate permits if necessary.
  5. **Parking:** Four off-street parking spaces must be provided. The parking spaces must be constructed of an all-weather surface and striped.
  6. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC, Municipal Code, Building, or Health Department requirements.
  7. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete Mobile Vending Unit permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.
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