



## AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of December 8, 2015  
Second Reading for the City Council Meeting of January 12, 2016

**DATE:** November 17, 2015

**TO:** Ronald L. Olson, City Manager

**FROM:** Dan M. Grimsbo, P.E., Director, Development Services Department  
DanG@cctexas.com  
(361) 826-3595

**Public Hearing and First Reading for Property located at  
6425 King Trail**

### **CAPTION:**

Case No. 1015-02 Edward Gonzalez: A change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District, resulting in a change to the Future Land Use Map from estate residential uses to low density residential uses. The property is described as Lot 21, Block 2, The Coves at Lago Vista Unit 3, located approximately 1,200 feet east of King Ranch Drive and 600 feet south of the corner of Oso Parkway and Green Jay Court.

### **PURPOSE:**

The purpose of this item is to rezone the property to allow replatting into lots of one-half acre.

### **RECOMMENDATION:**

**Planning Commission and Staff Recommendation (November 4, 2015):** Approval of the change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District.

### **BACKGROUND AND FINDINGS:**

As detailed in the attached report, the property owner wishes to plat the property into three lots that are 0.5 acres in size and one lot over one acre. Easements across the property are limiting development with the existing "RE" Residential Estate one acre minimum lot size. The proposed rezoning deviates from the Future Land Use Map designation but the deviation is not considered significant since the proposed density of a large lot character and proposed uses for single-family are very similar or identical to the designation of Estate Residential in the Comprehensive Plan. The proposed rezoning is consistent with past (2007) rezoning of the Lago Vista subdivision to the

north and west allowing a Special Permit to reduce lot sizes in the Estate Residential District to 0.5 acres. It is staff's opinion that the proposed rezoning is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area. The property to be rezoned is suitable for half-acre lots.

56.68% of the land area within 200 feet of the subject property is represented as opposed to the rezoning. The opposition is comprised of two landowners. Concerns expressed by the neighbors are related to drainage, street access and easements, which would be reviewed during the subdivision platting process. Prior to voting, the Planning Commission advised the applicant to meet with the neighbors opposed. The applicant met with the neighbors, but it appears they did not reach an ultimate resolution. As of November 17, 2015, when this memo was finalized, the opposition remains at 56.68%. Because the opposition is greater than 20%, approval of the "RS-22" Single-Family 22 District will require  $\frac{3}{4}$  of the council members to vote in favor.

This item was tabled on December 15, 2015, to come before Council on January 12, 2016.

**ALTERNATIVES:**

1. Deny the request.

**OTHER CONSIDERATIONS:**

Not Applicable

**CONFORMITY TO CITY POLICY:**

The subject property is located within the boundaries of the London Area Development Plan (ADP). The proposed rezoning to the "RS-22" Residential Single-Family District is consistent with the London ADP but not consistent with the adopted Future Land Use Map's designation of the property as Estate Residential with minimum lot sizes of one acre.

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Legal and Planning Commission

**FINANCIAL IMPACT:**

Operating

Revenue

Capital

Not applicable

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

Fund(s):

**Comments:** None

**LIST OF SUPPORTING DOCUMENTS:**

Presentation - Aerial Map

Ordinance

Planning Commission Final Report