



## **AGENDA MEMORANDUM**

Public Hearing for the City Council Meeting of 12/14/2021  
(Tabled)First Reading Ordinance for the City Council Meeting of 2/8/2022  
Second Reading Ordinance for the City Council Meeting of 2/15/2022

**DATE:** January 12, 2022  
**TO:** Peter Zaroni, City Manager  
**FROM:** Al Raymond, AIA, Director  
Development Services Department  
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Rezoning a property at or near 3202 Interstate 69

### **CAPTION:**

Zoning Case No. 1021-06, Walker Holdings and Development, LLC.: (District 1) Ordinance rezoning property at or near 3202 Interstate 69 from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

### **SUMMARY:**

The purpose is for the construction of single-family homes.

### **BACKGROUND AND FINDINGS:**

The subject property is 117.29 acres in size. The subject property is currently zoned "FR" Farm Rural District, consists of vacant land, and has remained undeveloped since annexation in 1995. To the north is a Manufacture Home subdivision (Trinity Heritage West, 1999) and is zoned "RMH" Manufactured House District. To the south are properties outside of the City Limits that consist of a Mobile Home Community (Evelyn's RV & Mobile Home Park), vacant properties, and light industrial properties. To the east are vacant properties and large tract single-family homes zoned "RE" Residential Estate District. To the west are commercial properties (Mike Shaw Toyota and Hicks Family Nissan) zoned "CG-2" General Commercial District.

City Council heard the case on December 14, 2021. After discussion, the recommendation was to table the case for the drafting of a Special Permit.

1. Uses: The only uses authorized by this Special Permit other than uses permitted in the "RS-4.5" Single-Family 4.5 District except the minimum setback for a garage door is 25-feet.
2. Other Requirements: The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
3. Time Limit: In accordance with the UDC, this Special Permit shall be deemed to have expired within 24 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Planning Commission recommended approval of the zoning from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District on October 27, 2021.

The new property owner has decided they want to continue with the original request proposed to City Council on December 14, 2021.

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

The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for a medium density residential 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. The future land use map designates the subject property as a Medium Density Residential use. The density is between 4 to 13 dwelling units per acre. The maximum potential buildout at 13 dwelling units per acre is 1,222 single-family homes. The original preliminary plat for Calallen South Subdivision was 408 dwelling units. The proposed increase of single-family homes will be an increase of 97 units to a total of 505 dwelling units.

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

Number of Notices Mailed

9 within 200-foot notification area

7 outside notification area

*As of November 2, 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 from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District.
2. Approval of the zoning from the “RS-6” Single-Family 6 District to the “RS-6/SP” Single-Family 6 District with a Special Permit with the condition that all garage doors be setback 25-feet from the street yard property line.

### **FISCAL IMPACT:**

There is no fiscal impact associated with this item.

### **RECOMMENDATION:**

Planning Commission recommended approval of the zoning from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District on October 27, 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