



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of April 9, 2013
Second Reading for the City Council Meeting of April 23, 2013

DATE: March 14, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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PUBLIC HEARING – CHANGE OF ZONING
HEB Grocery Company, LP (Case No. 0313-02)
Change from “RS-6” Single-Family 6 District
to “CG-2” General Commercial District (Tract 1)
and “CN-1” Neighborhood Commercial District (Tract 2)
Property Address: 6810 South Staples Street (FM 2444)

CAPTION:

Case No. 0313-02 HEB Grocery Company, LP: A change of zoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District (Tract 1) and the “CN-1” Neighborhood Commercial District (Tract 2), resulting in a change of future land use from low density residential and medium density residential to commercial. The property is described as being a 21.21-acre tract of land out of Lots 17 and 18, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Timbergate Drive and South Staples Street (FM 2444).

PURPOSE:

The purpose of this item is to rezone the property to allow commercial and multifamily development.

RECOMMENDATION:

Planning Commission and Staff Recommendation (March 13, 2013):

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District on Tract 1 and the “CN-1” Neighborhood Commercial District on Tract 2.

BACKGROUND AND FINDINGS:

As detailed in the attached Zoning Report, the applicant is requesting a rezoning that would allow commercial and multifamily uses. The majority of the subject property (Tract 1) would be zoned “CG-2” General Commercial District. A commercial use on the subject property would not have a negative impact on the surrounding properties. The 300-foot wide portion on the south end would be zoned “CN-1” Neighborhood

Commercial District (Tract 2) to help protect future single-family uses located south of the subject property from more intense uses allowed in the "CG-2" District, such as mini-storage, vehicle sales and service, and bars. The Neighborhood Commercial District allows commercial services that primarily benefit surrounding residential areas and provides more protection to surrounding residential areas by prohibiting higher intensity commercial uses and imposing a height restriction of 35 feet.

The requested zoning district is consistent with current development trends and existing zoning patterns along South Staples Street (FM 2444). This location will have direct access to South Staples Street (FM 2444), a Primary Arterial Divided Street.

ALTERNATIVES:

1. Approve an intermediate zoning district; or
2. Deny the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The proposed change of zoning is in the Southside Area Development Plan and is not consistent with the adopted Future Land Use Plan, which slates the property for medium density residential and low density residential uses.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Planning/Environmental Services, Legal, and Planning Commission

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2012-2013	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:

Aerial Overview Map, Zoning Report with Attachments, Ordinance with Exhibits