



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of September 20, 2016
Second Reading for the City Council Meeting of September 27, 2016

DATE: August 30, 2016

TO: Margie C. Rose, City Manager

FROM: Daniel McGinn, Interim Director, Development Services Department
DanielMc@cctexas.com
(361) 826-3595

| |
|---|
| <p>Public Hearing and First Reading Ordinance - Rezoning property located at 3113 S. Port Avenue</p> |
|---|

CAPTION:

Case No. 0816-01 Maria G. Lopez: A change in zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District in reference to a 0.037 acre tract of land, described as the remainder of lot 2, Block 6 of the San Diego Addition Unit 1, located on the east side of Niagara Street between Guadalupe Street and Nogales Street.

PURPOSE:

The purpose of this item is to change the zoning to allow a commercial use.

RECOMMENDATION:

Planning Commission and Staff Recommendation (August 24, 2016):

Approval of the change in zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Vote Results

For: 9

Against: 0

Absent: 0

BACKGROUND AND FINDINGS:

As detailed in the attached report, the applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District to be able to use the property as a driveway for a fast food restaurant that will be placed on the abutting property, also owned by the applicant.

The subject property is located within the boundaries of the Westside Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District is not consistent with the

adopted Future Land Use Map but is consistent with the policies in the Westside Area Development Plan. The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the rezoning and would not have a negative impact on the surrounding neighborhood.

ALTERNATIVES:

1. Deny the request.
2. Approve the request.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Westside Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District is not consistent with the adopted Future Land Use Map but is consistent with the policies in the Westside Area Development Plan.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

| Fiscal Year: 2015-2016 | 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:

Ordinance-CN-1

Presentation - Aerial Map

Planning Commission Final Report