



## **AGENDA MEMORANDUM**

Public Hearing & First Reading Ordinance for the City Council Meeting 12/17/19  
Second Reading Ordinance for the City Council Meeting 01/14/20

**DATE:** October 28, 2019  
**TO:** Peter Zaroni, City Manager  
**FROM:** Al Raymond, AIA, Director  
Development Services Department  
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Rezoning a property at or near 3046 Holly Road

### **CAPTION:**

Zoning Case No. 1019-06, Rogerio and Maria E. Lopez (District 3). Ordinance rezoning property at or near 3046 Holly Road from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

### **SUMMARY:**

The purpose of the zoning request is to allow for the construction of a retail center.

### **BACKGROUND AND FINDINGS:**

The subject property is 4.61 acres in size. The owner is proposing to construct a retail center. The current zoning of "RS-6" Single-Family 6 District permits single-family homes. However, the "CN-1" Neighborhood Commercial District permits retail uses.

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

The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial land uses. The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC). The subject property is compatible with the adjoining residential properties and does not have a negative impact upon the adjacent commercial properties. The property is currently vacant and is a remaining "RS-6" Single-Family 6 tract. The subject property has never been developed. Surrounding properties have been rezoned within the past five years indicating a pattern towards neighborhood commercial development along the Holly Road corridor. If the "CN-1" Neighborhood Commercial District is approved, the retail development will need to abide all requirements of the Unified Development Code (UDC). Specific requirements would entail buffer yards and additional setbacks. Additionally, the "CN-1" District does not allow bars, pubs, taverns, or nightclubs.

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

Number of Notices Mailed  
50 within 200-foot notification area  
5 outside notification area

*As of October 2, 2019:*

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 land within the 200-foot notification area in opposition.

***Commission Recommendation***

Planning Commission recommended approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District on October 16, 2019.

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**RECOMMENDATION:**

Staff recommends approval of the zoning request.

Planning Commission recommended approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District with following vote count.

*Vote Count:*

For: 8

Opposed: 0

Absent: 1

Abstained: 0

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

Presentation - Aerial Map

Planning Commission Final Report