



AGENDA MEMORANDUM

Public Hearing & First Reading Ordinance for the City Council Meeting 04/21/20
Second Reading Ordinance for the City Council Meeting 05/12/20

DATE: March 9, 2020
TO: Peter Zaroni, City Manager
FROM: Al Raymond, AIA, Director
Development Services Department
AlRaymond@cctexas.com
(361) 826-3575

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| Rezoning a property at or near 5506 Cain Drive |
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CAPTION:

Zoning Case No. 0220-04, Nazari Mohammad Rezaei (District 3). Ordinance rezoning property at or near 5506 Cain Drive 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 professional office (Surveying Company) with an attached storage garage.

BACKGROUND AND FINDINGS:

The subject property is 0.91 acres in size. According to the applicant the purpose of the request is to construct a professional office (Surveying Company) with an attached storage garage.

Conformity to City Policy

The subject property is located within the boundaries of the Southside Area Development Plan and is planned for mixed uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District is inconsistent with the adopted Comprehensive Plan (Plan CC). However, the proposed use is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. The 1989 Southside Area Development Plan specifically addresses limiting further commercial expansion into the Gardendale subdivision. However, the proposed use of a professional office with an attached storage garage is compatible with the adjoining residential properties and will not have a negative impact upon the adjacent properties. The subject property is not located at a major intersection and only has access to a "Local" street. Additionally, traffic generated by the use will route through a residential neighborhood. However, the proposed use of a professional office generates little traffic impact to the neighborhood. The generated traffic by the proposed use will generally be associated with the employees of the business. This case was originally presented to the Planning Commission on February 19th, 2020 with a staff recommendation of denial. After review and deliberation, the Planning Commission voted to table the case so a Special Permit could be drafted to allow the use of a professional office.

Public Input Process

Number of Notices Mailed

13 within 200-foot notification area

5 outside notification area

As of February 28, 2020:

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 denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District in lieu thereof, approval of the "RS-6/SP" Single-Family 6 District with a Special Permit with conditions on March 4, 2020.

ALTERNATIVES:

1. Approval 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 denial of the change of zoning in lieu thereof, approval of a Special Permit.

Planning Commission recommends denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District in lieu thereof, approval of the "RS-6/SP" Single-Family 6 District with a Special Permit with conditions with following vote count.

Vote Count:

For: 9

Opposed: 0

Absent: 0

Abstained: 0

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Presentation - Aerial Map

Planning Commission Final Report