



Legislation Details (With Text)

**File #:** 18-0524      **Version:** 1      **Name:** Action to rezone 1.79 acres Ohio Ave  
**Type:** Agenda Item      **Status:** Approved  
**File created:** 8/29/2018      **In control:** Development Services  
**On agenda:** 9/11/2018      **Final action:** 9/11/2018

**Title:** Consider and take action on Ordinance No. 2018-24, amending Ordinance No. 2005-24, to rezone approximately 1.79 acres, MAP-18-0009 (3003-3307 Ohio Avenue), legally described as all of Block 102, Dickinson Townsites, from “RSF-5” (Residential Single-Family with a minimum lot size of 5,000 square feet) to “CG” (General Commercial), generally located along the west side of Ohio Avenue, approximately 1,130 feet south of FM 646 - Second Reading (Director of Planning and Development)

Planning and Zoning Commission recommended approval, 6-0-0 with 2 absent, on August 6, 2018. Council approved first reading 8-0-0 on August 28, 2018.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Data Sheet, 2. Ordinance No. 2018-24, 3. Exhibit A

Date	Ver.	Action By	Action	Result
9/11/2018	1	City Council	Approved	Pass

Consider and take action on Ordinance No. 2018-24, amending Ordinance No. 2005-24, to rezone approximately 1.79 acres, MAP-18-0009 (3003-3307 Ohio Avenue), legally described as all of Block 102, Dickinson Townsites, from “RSF-5” (Residential Single-Family with a minimum lot size of 5,000 square feet) to “CG” (General Commercial), generally located along the west side of Ohio Avenue, approximately 1,130 feet south of FM 646 - Second Reading (Director of Planning and Development)

Planning and Zoning Commission recommended approval, 6-0-0 with 2 absent, on August 6, 2018. Council approved first reading 8-0-0 on August 28, 2018.

Approval of this ordinance will rezone approximately 1.79 acres of land from “RSF-5” to “CG”.

**Project Timeline:**

- August 10, 1999 - The properties in the area were initially zoned as “IH (I-2)” or Heavy Industrial
- August 30, 2005 - The properties in this request were zoned “RSF-5” as a result of the Zoning Map and Text Amendment of 2005.
- February 23, 2018 - The applicant submitted an application for a Grade/Fill permit.
- February 23, 2018 - The City issued a Grade/Fill permit to the applicant.
- May 11, 2018 - The applicant held a neighborhood meeting for the proposed rezoning. It was indicated that two attendees had no objection to the proposed rezoning.
- May 21, 2018 - Applicant submitted the request for rezoning.
- July 13, 2018 - Planning staff sent public hearing notices to the surrounding property owners and installed public hearing signs on the property.
- July 15, 2018 - Notice of public hearings published in the newspaper.
- August 6, 2018 - Planning & Zoning Commission held a public hearing and made a recommendation of approval 6-0-0 with two members absent.

August 28, 2018 - City Council approved first reading 8-0-0.

September 11, 2018 - Subject to approval on first reading, City Council is scheduled to consider the request on second reading.

**Project Summary:**

The proposed zoning map amendment consists of 12 platted parcels that are currently zoned “RSF-5” (Residential Single-Family with a minimum lot size of 5,000 square feet). The applicant is requesting the rezoning for the purpose of developing a plant nursery and garden supply store on the site.

The property is currently undeveloped. Should this rezoning be approved, the applicant will be required to replat the property and comply with development standards like parking, landscaping, screening, lighting, and all other applicable requirements prescribed by the League City Code of Ordinances. Although a plant nursery is proposed, a rezoning to “CG” would permit a variety of commercial uses including offices, eating and drinking establishments (restaurants), retail sales, self-storage, and building material sales and services.

The Future Land Use Plan, adopted by City Council in September 2017, identifies the subject property as being Enhanced Auto Dominant Commercial. Enhanced Auto Dominant Commercial focuses on providing convenience and access for the end-user in an almost exclusively auto-centric environment. The proposed use is consistent with the comprehensive plan and could potentially offer a buffer between more intensive surrounding commercial and industrial uses and the adjacent residential uses. Although the subject property and directly adjacent properties are currently zoned residential, the character of properties in the immediate vicinity are of a commercial and industrial nature. A rezoning to “CG” would be consistent with the existing character of this area.

On August 6, 2018, the Planning and Zoning Commission held a public hearing and recommended approval of the rezoning request by a vote of 6-0-0 with two members absent. The Planning Department has not received any communication from the public in support or opposition of the rezoning request.

**Staff Recommendation:**

Staff recommends approval of Zoning Change Application, MAP-18-0009 (3303-3307 Ohio Avenue), a request to rezone approximately 1.79 acres from “RSF-5” (Residential Single-Family 5) to “CG” (General Commercial).

**Attachments:**

- 1. Data Sheet
- 2. Proposed Ordinance
- 3. Exhibit A

**CONTRACT ORIGINATION:**

Planning and Development

Applicant: Rosa Maria Fernandez

Owners: Rosalina Fernandez-Paradas

**FUNDING**

{ } Funds are available from Account # \_\_\_\_\_

{ } Requires Budget Amendment to transfer from Account # \_\_\_\_\_ to Account # \_\_\_\_\_

{ x } NOT APPLICABLE

**STRATEGIC PLANNING**

{ } Addresses Strategic Planning Critical Success Factor # \_\_\_\_\_ and Initiative # \_\_\_\_\_

{ x } NOT APPLICABLE