



## Legislation Text

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**File #:** 15-0340, **Version:** 1

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Consider and take action on an ordinance amending Ordinance No. 2005-24, for Zone Change Application Z15-07 (Kenwood [Tuscan Lakes] CGR Amendment), a request to amend approximately 9.2 acres of the existing Kenwood PUD overlay from “CGR-PUD” (Commercial General Residential with a Planned Unit Development Overlay) to “RSF-PUD” (Residential Single Family with a Planned Unit Development Overlay), generally located north of League City Parkway and east of Louisiana Street in League City, Texas (Director of Planning and Development)

Planning & Zoning Commission recommended approval, 7-0-0 on May 4, 2015.

Approval of this item would rezone the 9.2-acre property from “CGR-PUD” (General Commercial Residential with a Planned Unit Development Overlay) to the “RSF-PUD” (Residential Single Family with a Planned Unit Development Overlay) zoning district.

### Project Timeline:

April 22, 2003 - City Council approves the Concept Plan/PUD Document for the Tuscan Lakes (Kenwood) PUD.

March 19, 2015 - Applicant holds required pre-application neighborhood meeting with Tuscan Lakes residents.

March 23, 2015 - Applicant submits application to rezone 9.2 acre property from “CGR-PUD” (General Commercial Residential with a Planned Unit Development Overlay) to “RSF-PUD” (Residential Single Family with a Planned Unit Development Overlay) for a proposed townhome or duplex development.

April 12, 2015 - Public notice published in the Post newspaper.

April 13, 2015 - Public notification sign posted on property.

April 13, 2015 - Public notice mailed to property owners within 500 feet.

May 4, 2015 - Planning & Zoning Commission conducted hearing and made recommendation to City Council.

May 26, 2015 - City Council scheduled to conduct public hearing and consider request on first reading.

### Project Summary:

The subject property is currently zoned “CGR” (General Commercial Residential). The owner of this property proposes to construct either 46 duplexes or 63 townhomes.

The property is currently zoned under the Tuscan Lakes Master Plan as CGR. The CGR district was a combination of two zoning districts, Single-Family Residential and General Commercial. The CGR district was regulated by the Commercial Development standards in the 2001 Zoning Ordinance. This proposed amendment would prohibit commercial uses as well as amending the development standards on the subject site.

The Future Land Use Plan of the 2035 Comprehensive Plan identifies the subject property as “Enhanced Auto Dominant Commercial”. Areas designated as Auto Dominant Commercial are characterized by access for customers and employees almost exclusively by automobile. Auto Dominant Commercial is further distinguished by commercial development that is primarily linear along major roadways with walkability, connectivity and common areas that are generally minimal. The proposed amendment, while not commercial in nature, would serve as a transitional area of higher density residential between the traditional single-family residential and the commercial corridor along League City Parkway.

On May 4, 2015, the Planning and Zoning Commission held a public hearing and recommended approval, 7-0-0. During the public hearing there were four speakers opposed to this request and one speaker in favor of the request. Also, the Planning Department received a petition from several neighbors of the site (attached) opposed to the request. Subsequently, staff created a map to analyze where those on the petition reside (attached). While most if not all of those on the petition reside within the City's 500-foot notification boundary, none live within the 200-foot boundary that could

trigger a super-majority vote of the City Council to approve the request. State law requires a 3/4 majority (i.e. "super-majority") vote of the City Council to approve a re-zoning request if at least 20% of those properties, by land area, within the 200-foot boundary submit a valid petition to the City opposing the request. The petition submitted does not meet that threshold.

**Staff Recommendation:**

Staff recommends approval of this request to rezone the subject property from "CGR" (General Commercial) to "RSF" (Residential Single Family).

**Attachments:**

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

**CONTRACT ORIGINATION:**

Planning Department

Applicant: Matt Stoops of BGE/Kerry R. Gilbert & Associates, Inc.

Owner: Robert B. Douglas, Jr. of Johnson Development

**FUNDING**

{ x } NOT APPLICABLE

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

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