



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 2, 2018

Re: Lot 4 Terebinths Subdivision – Rezoning (Case # 18-104)

Executive Summary

Approval of this request will result in the rezoning of 0.61 acres located approximately 700 feet east of Dorado Drive on the south side of St. Charles Road, from PD (Planned District) to A (Agriculture District).

Discussion

The applicant is seeking to rezone a 0.61 acre parcel of property on the south side St. Charles Road, approximately 700-feet east of Dorado Drive, from PD (Planned District) to A (Agriculture District). This request is being made concurrently with requests to approve a 10-acre annexation (Case #18-105) and final plat (Case #18-106). The subject parcel is intended to be used for vehicular access to the larger annexation tract.

The purpose of the requested rezoning is to ensure that the subject parcel zoned consistently with 10-acre annexation tract to the south and secondarily to eliminate the requirement to prepare a development plan for the proposed vehicular access. The final plat would combine both the subject parcel and the 10-acre annexation parcel into a single lot. Future development on the combined parcel would be for a single-family residence.

The existing PD zoning and accompanying development plan known as “The Terebinths – PUD Plan” were initially approved on March 20, 1995 and the PUD plan was revised on September 4, 1997. The PUD contemplated 40 single-family attached condominium units of which the subject parcel was a small part. Additionally, the subject site included a shared access drive to St. Charles Road that provided overall development accessibility. No development has commenced on the site and the PUD plan expired in September 2002. While the development plan is void, the approved Statement of Intent (SOI) provisions remain in place and would govern future site development.

Requests to rezone property to the A (Agriculture) district are subject to a minimum lot area of 2.5 acres. The subject site contains 0.61 acres; therefore, is not by itself eligible for such a designation. However, the concurrently submitted 10-acre annexation request and final plat that proposes the combination of the subject site with the annexation parcel were viewed as factors permitting this request to be considered. Should Council agree that the requested A (Agriculture) zoning is appropriate, approval of this request would be contingent upon the approval of both the annexation and the final plat.

In evaluating this application, staff considered the impacts that rezoning this parcel to the agriculture district may have upon the surrounding City and County development. As noted above, the subject site is not by itself a candidate to be zoned agriculture due to its



insufficient land area. However, when considered as part of the adjoining 10 acre annexation the request is not considered inconsistent with the surrounding land use pattern. Furthermore, the subject site's development potential is limited due to steep slopes and rocky soil conditions.

Given these characteristics the applicant intends to use the subject site simply for access to the adjoining 10 acre annexation parcel. The parcels to east and west of the subject site will remain zoned City PD and subject to the original zoning Statement of Intent limitations. A new PD development plan will be required for any future development and such plan(s) can be designed to accommodate possible impacts that this rezoning may create.

The Planning and Zoning Commission considered this request at its June 7, 2018 meeting. There were no public comments provided at the hearing and staff noted that the owners were the only public in attendance at the public information meeting on May 1, 2018. After limited discussion, the Planning and Zoning Commission voted 6-0 in favor of the rezoning request.

A copy of the Planning and Zoning Commission staff report, locator maps, and meeting excerpts are attached.

Fiscal Impact

Short-Term Impact: Limited. Public infrastructure expansion would be at the cost of the developer.

Long-Term Impact: Limited. Increased costs in public safety and solid waste services may or may not be offset by increased property taxes and user fees.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Economic Development, Tertiary Impact: Infrastructure

Legislative History

Date	Action
8/2/2004	Approved "The Terebinths Revised Plan"
3/20/1995	Approved "The Terebinths PUD Plan"

Suggested Council Action

Approve the requested rezoning from PD (Planned District) to A (Agriculture District) as recommended by the Planning and Zoning Commission.