



**City of Baytown  
Zoning Map Amendment  
Staff Report  
October 18, 2022**

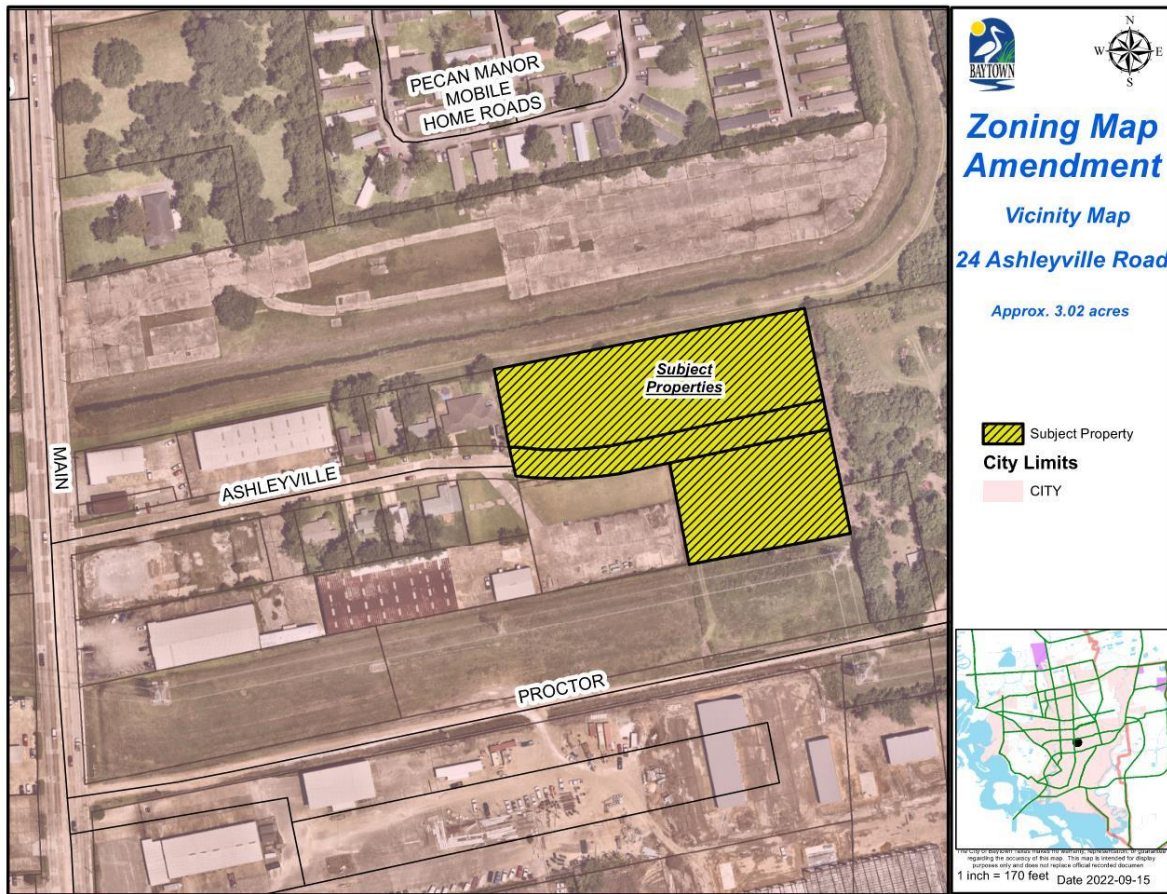
**Plan Number:** ZP22090127

**Address:** 24 Ashleyville Road

**Requested Action:** The proposed rezoning of approximately 3.02 acres of land, legally described as Tract 5, 5D & 5E Abstract 709 JW Singleton, Baytown, Texas, from a General Commercial (GC) to a Medium Density Mixed Residential (MF1) Zoning District.

**Applicant:** Jacqueline Colbert – owner

**Subject Property:**



*Vicinity Map*

**Parcel Information:**

**Current Use:** Vacant and undeveloped

**Proposed Use:** Residential Multi family

**Future Land Use Plan:** Large Scale Commercial

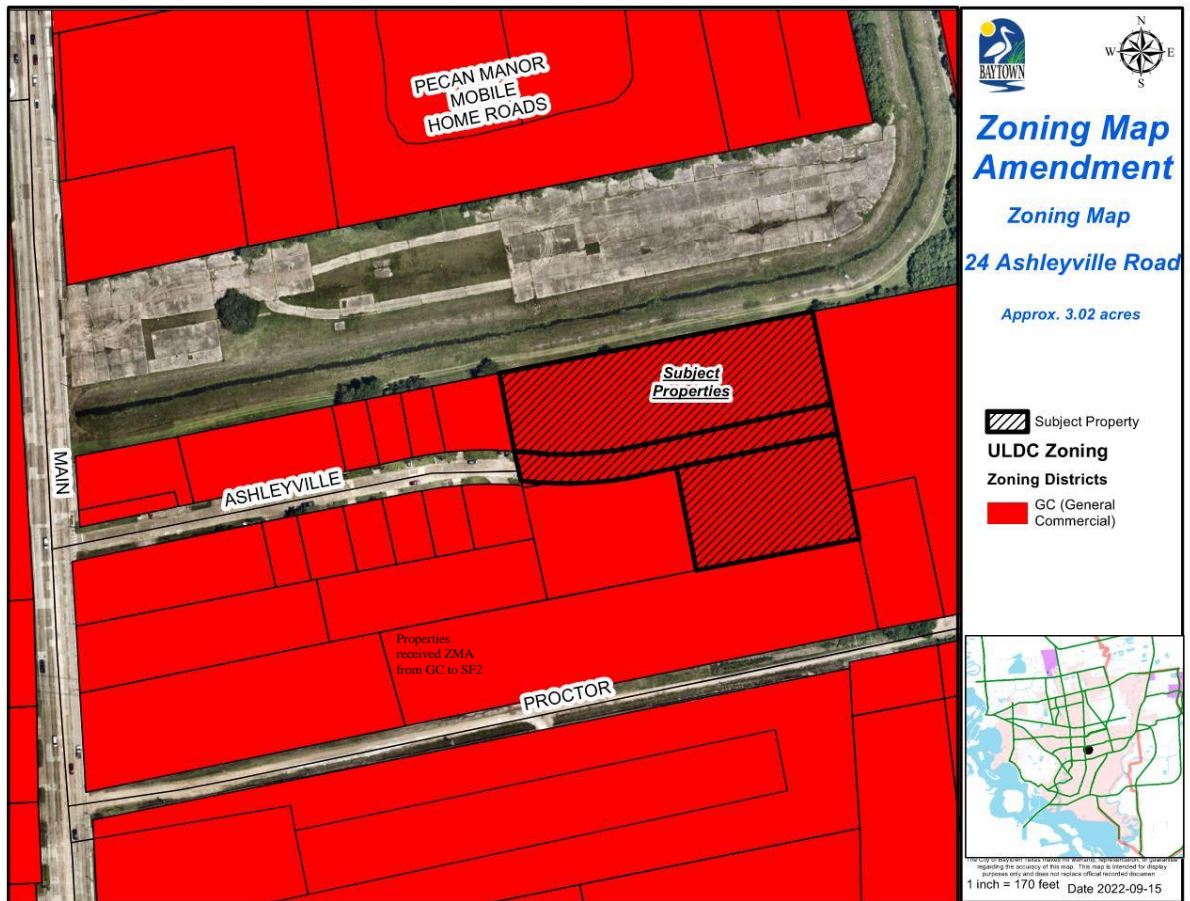
### Adjacent Parcel Information

**North:** General Commercial (GC)-Mobile home park

**South:** General Commercial (GC)

**East:** General Commercial (GC)

**West:** General Commercial (GC)- mix of residential homes and commercial



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### Zoning Map

### Staff Analysis

The applicant is requesting to rezone the subject property, approximately 3.02 acres, from GC to MF1 to allow for the development of 22 single attached dwellings and one single family detached dwelling on the subject property. The applicant is proposing to extend Ashleyville Road to the end of the property, develop a single family dwelling adjacent to existing dwellings on the north side of the road, construct a recreation center, and develop four blocks of single family attached dwellings along Ashleyville Road.

The subject property is located east of North Main Street and south of Massey Tompkins Road at the terminus of Ashleyville Road with approximately 52 feet of lot frontage on Ashleyville Road.

The surrounding area is characterized by a mix of residential and commercial uses fronting on Ashleyville Road, a 50-foot wide local road, and North Main Street, a minor arterial. Commercial uses along Ashleyville Road are clustered closer to North Main Street and a mix of residential dwellings, including seven single detached and one duplex dwelling, are located



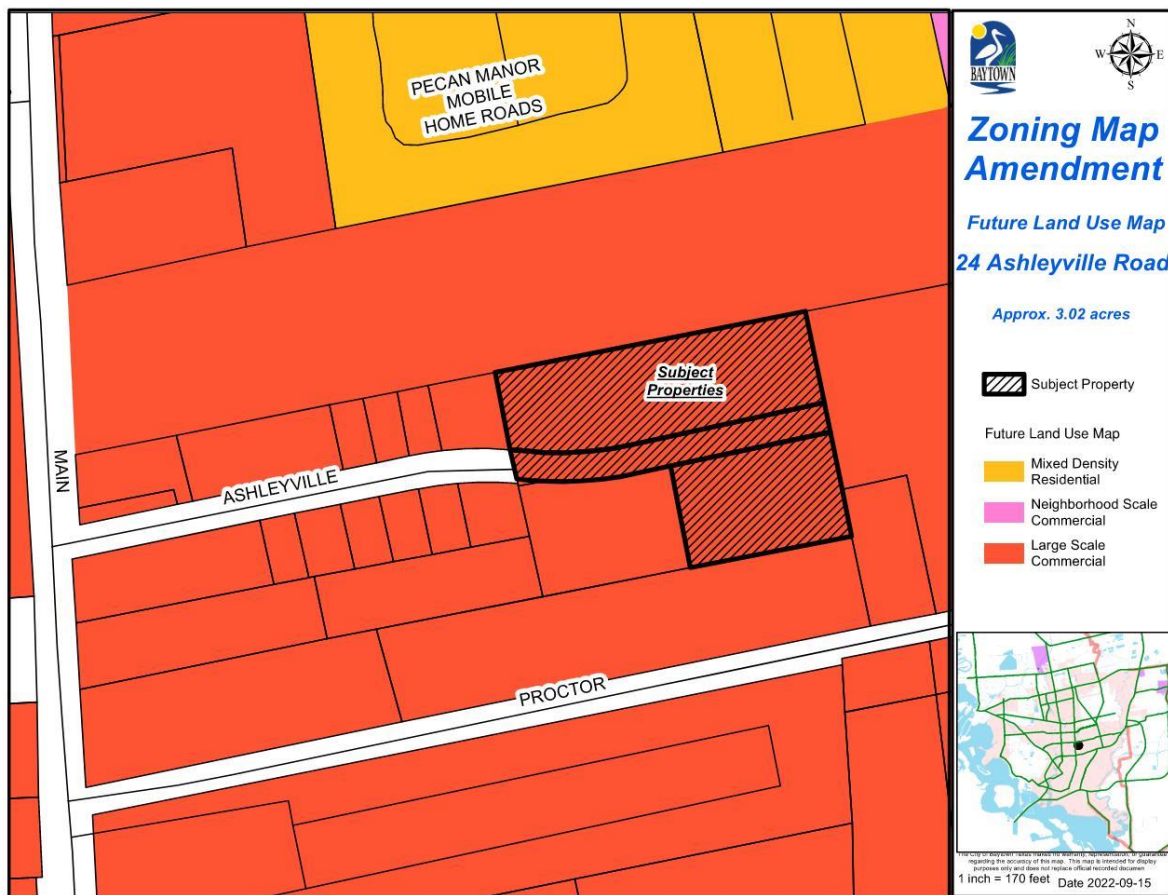
immediately west of the subject property and on both sides of Ashleyville Road. The subject property and all its surroundings are zoned GC, including the residential dwellings.

#### Current Zoning District (GC)

As defined in the ULDC, Article II, Division 2 Sec. 2.04, the GC district is “intended to provide for a variety of uses including offices, retail, personal and commercial services, and related uses that are mixed within buildings either vertically and/or horizontally. Uses in this district are generally conducted wholly within an enclosed building, but may include outdoor display merchandise or storage of materials. The GC district may be used as a transitional district between more intensive nonresidential districts (e.g., light industrial) and higher density residential districts or as the primary district for such corridors as Garth Road or Main Street.”

#### Proposed Zoning District (MF1)

Medium Density Mixed Residential ("MF1"). This district provides for single-family detached and attached residential dwellings, two-family dwellings, and multifamily dwellings at a density up to 15 dwelling units per acre.



*Future Land Use Map*



*Proposed Site Plan*

In order to recommend approval of an application for a zoning map amendment, the Planning and Zoning Commission shall consider the following factors:

1. **Consistency with Guiding Documents.**

The Baytown 2040 Comprehensive Plan, approved by City Council on May 26, 2022, is a policy document that sets forth the City's long-range planning policies in order to reflect the aspirations and values of residents, property owners, businesses and organizations within the community. The Comprehensive plan provides guidance for decisions related to the City's zoning map (zone change requests, variance applications, etc.). The Future Land Use Map (FLUM) graphically illustrates general future land uses based upon the recommendations made throughout the City's Comprehensive Plan. The FLUM designates the subject property as "Large Scale commercial".

According to the 2040 Comprehensive Plan, primary land use in large scale commercial designation is for commercial retail and service uses, typically three acres or larger. Uses such as offices, big box commercial stores, automobile services, hotel and recreational vehicle parks are primary uses that may be permitted in this designation given that the location criteria are met.

The proposed comprehensive plan text amendment, which is to be heard by city council on October 27, 2022, supports the inclusion of attached residential dwellings, duplexes and patio homes; small multi-family developments; and low to medium density multi-family developments; however, the location criteria still has to be met to allow the proposed zoning change to MF1.

In addition to the proposed comprehensive plan text amendment criteria, the following are the location criteria for “Large Scale Commercial” as listed in the comprehensive plan:

- Should be located at the intersection of two arterial roadways, or along an arterial corridor, or
- Should be located at the intersection of an arterial roadway and a freeway, or along the frontage of a freeway, or
- Should be an extension of an established commercial area that does not conflict with adjacent residential uses, regardless of if located at an intersection.

The subject property does not meet any of the first two location criteria listed in the comprehensive plan for large scale commercial uses, and the third criteria is not applicable to this proposal.

2. **Compatible with the Surrounding Area.**

The surrounding area consists of a mix of single-family structures, a duplex, and commercial uses primarily in close proximity to the intersection of Ashleyville Road and North Main Street. The proposed single family attached units and a single family detached dwelling will be compatible with the existing structures on the eastern segment of Ashleyville Road and will act as a transition to existing commercial uses to the east and south of the property. The applicant is proposing to place a single detached dwelling adjacent to an existing duplex, and progressively will add four blocks of single family attached dwellings along the extension of Ashleyville Road with an excess of amenities and/or rear yards for each unit.

Per ULDC, Division 5, Sec. 3.14 - Compatibility standards, new development that is zoned Medium Density Mixed Residential (MF1) and located adjacent to a property zoned, UN, SFE, SF1, or SF2 shall meet all requirements of the property development standards table in Article Three, Division 1 of the ULDC and install a minimum of a six-foot-tall opaque screen between any property zoned OR, UN, SFE, SF1 or SF2. This compatibility standard does not apply to the subject property as all adjacent residential dwellings are zoned general commercial. Moreover, the applicant proposes to locate a single family detached dwelling adjacent to existing duplex which may complement existing residential uses in the area.

3. **Promotion of health, safety, or general welfare.**

It is not anticipated that the proposed MF1 zone and/or the proposed residential development would be detrimental to the health, safety, or general welfare of the general area. The applicant is proposing to have large open spaces, common and private amenities for each unit, and will provide an extension to the public road with similar right-of-way width to the existing public road. The proposal will facilitate future roadway connection to adjacent property to the east and will provide adequate sidewalks along both sides of the extension of Ashleyville Road, which will promote the health and safety of residents and visitors of the area. The proposed development will be required to meet all current adopted codes of the City of Baytown and therefore promote the health, safety and welfare of the community.

4. **Facilitation of infrastructure.**

Water and wastewater utilities are available on Ashleyville Road at the edge of the subject property. However, extension of utilities internally to the development must occur to serve the proposed number of residential units. Any future development will need to meet the City's

development standards, code of ordinance, and established requirements of the zoning district.

5. **There are changed conditions.**

The subject property does not meet the location criteria for Large Scale Commercial as identified by the comprehensive plan; however, current market pressures that indicate a need for more housing, and a variety of housing types should be noted as a change in conditions at this time.

6. **Effect on natural environment.**

It is not anticipated that the proposed rezone will have any adverse effect on the natural environment. However, future development must comply to the city code of ordinances and development standards. The applicant is proposing an ample amount of open space for each unit, a recreation center, and sidewalks along both sides of the Ashleyville Road extension.

7. **Community need.**

According to research in the Houston area and its surroundings, rental inflation accelerated over the past two years from 0.8% to 5.2%, and rental vacancies have dropped. These factors indicate a need for more housing and housing types across the country and in Baytown. The 2040 Comprehensive Plan's Housing and Neighborhoods (HN) promotes a diversity in housing types including rental options to meet the housing needs for residents and local employees.

Strategic Action Priorities (SAP) 6 is to "Ensure development regulations allow a variety of housing types, including moderate-density housing such as small-scale townhome or condo development, accessory dwelling units and other forms of "missing middle" housing. One newer type of housing that has emerged within Baytown in recent years is build-to-rent single-family homes."

Similar to the other municipalities within the Houston area, the city of Baytown is experiencing development pressure for more rental housing that would fill the gap between housing supply and demand in the near future. The proposed comprehensive plan text amendment, which will allow low-, medium-, and high-density multi-family developments, with certain conditions, within general commercial areas is a planning tool that aims to accommodate the trending changes and challenges in the housing market, and support existing and future commercial and retail businesses in different areas of the city.

The proposed 23 residential dwellings in this area could complement the existing residential dwelling in respect to design and scale, could provide housing options for 23 families in Baytown, and could enhance property value of the subject property and its surroundings.

**Planning Staff Recommendations**

The proposed zoning change from GC to MF1 is not consistent with the guiding documents; therefore, staff recommends denial.