



**MEETING DATE:** February 24, 2026

**PRESENTED BY:** Xavier Cervantes, AICP, CPM, Director of Planning

**AGENDA ITEM:** Conduct a public hearing and consideration of a rezoning request from Large Lot Single-Family Residential District (“R-1A”) to Neighborhood Commercial District (“C-2”), being the South 196.0 feet of Lot 99, Sharyland Orchards Subdivision, located at 1403 N. Shary Road. Applicant, Jose Pena, Adoption of Ordinance #\_\_\_\_\_ - Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- January 5, 2026 – Application for rezoning submitted for processing.
- January 23, 2026 – In accordance with State and local law notice of the required public hearings was mailed to all the property owners within a 200’ radius of the subject tract and notice of hearings was published in the Progress Times.
- February 4, 2026 – Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission.
- February 24, 2026 – Public hearing and consideration of the requested rezoning ordinance by the City Council.

Summary:

- The applicant is requesting to rezone the subject property from Large Lot Single-family Residential District (“R-1A”) to Neighborhood Commercial District (“C-2”) to build a commercial plaza at the site.
- The code of ordinances states that the main purpose of the neighborhood commercial zoning is to provide space and off-street parking in appropriate locations in proximity to residential areas, for commercial development catering to the convenience shopping and service needs of the occupants of nearby residences.
- The property is located at the Northwest corner of Scout Lane and N. Shary Road and measures 183.68 feet along Scout Lane and 181 feet along Shary Road for a total net area of 33,246 square feet or 0.76 of one acre.
- The surrounding zones are Large Lot Single-family Residential District to the North, South and West, and Public District to the East.
- The property has a house that the property owner is currently renting. The surrounding land uses include single-family homes to the North, South and West and Sharyland High School to the East.
- The Future Land Use Map shows the property designated for low-density residential uses.
- The requested rezoning is not in line with the comprehensive plan designation, but due to the Shary Road high levels of traffic, staff feels that the properties with Shary Road frontage are in transition to light commercial uses.
- Notices were mailed to fifteen (15) property owners. Planning staff received a petition with 19 signatures on January 27 from the surrounding property owners in opposition to the rezoning request. The petitioners state that the rezoning is not in the public interest and is inconsistent with the character of the surrounding neighborhood, existing land uses and the city’s comprehensive plan.

- The petition submitted reflects 25.41 percent of the land area within 200 feet and 9.95 percent of the area within 400 feet of the subject property. Based on the current percentages a super majority vote of the City Council is required to approve the rezoning.

**STAFF RECOMMENDATION:**

Staff recommends denial to the C-2 zoning, but alternatively recommends approval to C-1 zoning.

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**Departmental Approval:** N/A

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**Advisory Board Recommendation:** Approval

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**City Manager's Recommendation:** Approval *JP7*

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**RECORD OF VOTE:**            **APPROVED:** \_\_\_\_\_  
   **DISAPPROVED:** \_\_\_\_\_  
   **TABLED:** \_\_\_\_\_

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

\_\_\_\_\_ DISSENTING \_\_\_\_\_