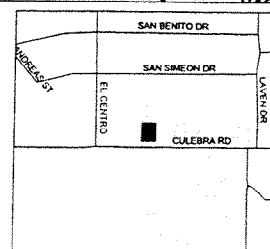


ZONING CASE: Z2002-127

City Council District NO. 6
 Requested Zoning Change
 From: "C-3 NA" To: "C-3R"
 Date: **October 24, 2002**
 Scale: 1" = 200"

Subject Property

200' Notification



T-20
 D-1
 p.614



CASE NO: Z2002127

Continuance from July 16, 2002

Zoning Commission Meeting Date: August 06, 2002

Council District: 6

Ferguson Map: 614 D1

Appeal: Yes

Applicant:

Jimmie Leal

Owner:

Jimmie Leal

Zoning Request: From "C-3 NA" Commercial Non-Alcoholic Sales District to "C-3 R" Commercial Restricted Alcohol Sales District.

Lot 19, Block 1, NCB 13598

Property Location: 4421 Culebra

Applicants Proposal: To allow the operation of a package store

Staff Recommendation:

Approval. The Subject Property is currently zoned "C-3 NA". The subject property has commercial zoning located to the north, east and south. A residential single family neighborhood is located north of the property.

Zoning Commission Recommendation

Denial

VOTE

FOR	7
AGAINST	0
ABSTAIN	1
RECUSAL	0

Z2002127

ZONING CASE NO. Z2002127 July 16, 2002

Applicant: Jimmie Leal

Zoning Request: "C-3NA" Commercial Non-Alcoholic Sales District to "C-3R"
Commercial Restricted Alcohol Sales District.

Applicant/Representative not present.

OPPOSE

Lulu Francois, 5354 San Siemon, stated she is in opposition of this request. She is concerned with sales of alcohol in the area. She feels there is already enough businesses in and around the neighborhood that sale alcohol. She further stated is frustrated with having to see discarded beer cans and bottles. Some of these businesses would not allow drinking on the premises so the customers would congregate on the church property and then urinate on her back yard.

Staff stated there were 13 notices mailed out to the surrounding property owners, 2 returned in opposition and 4 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motions was made by Commissioner Martinez and seconded by Commissioner McAden to recommend a continuance until August 6, 2002.

1. Property is located on Lot 19, Block 1, NCB 13598 at 4421 Culebra.
2. There were 13 notices mailed, 2 returned in opposition and 4 in favor.
3. Staff recommends approval.

AYES: Mehringer, Kissling, Hophan, McAden, Avila, Morell, Martinez

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

Z2002127

ZONING CASE NO. Z2002127 August 6, 2002

Applicant: Jimmie Leal

Zoning Request: "C-3NA" Commercial Non-Alcoholic Sales District to "C-3R"
Commercial Restricted Alcohol Sales District.

Jimmie Leal, 4421 Culebra, stated he is requesting this change in zoning to allow a liquor store with off premise consumption. He stated the proposed liquor store would be approximately 275 feet from the nearest residence with a privacy fence. He stated he had a business at this location 12 years ago and his business did very well. This property is surrounding by other commercial uses and he feels this is an appropriate location for his business.

OPPOSE

Lulu Francois, 5354 San Siemon, stated she is in opposition of this request. She is concerned with sales of alcohol in the area. This neighborhood is surrounding by convenient stores and bars that sale alcohol. She stated is frustrated with having to see discarded beer cans and bottles in and around the neighborhood. Customers from these surrounding alcohol businesses would gather on the church property and then urinate on her back yard.

Rosa Mary Perez, 1330 Lavine, President of Culebra Park Neighborhood Association, stated they do not support this request. She stated they feel that having a safe neighborhood and a family oriented business is a health environment for the community.

REBUTTAL

Jimmie Leal, 4421 Culebra, stated he kept his property clean and trimmed and his customers never urinated on the property

Staff stated there were 13 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner McAden to recommend denial.

1. Property is located on Lot 19, Block 1, NCB 13598 at 4421 Culebra.

Z2002127

2. There were 13 notices mailed, 3 returned in opposition and 4 returned in favor.
3. Staff recommends approval.

AYES: Mehringer, Cardenas-Gamez, Hophan, McAden, Avila, Morell, Martinez

NAYS: None

ABSTAIN: Kissling

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provide at Council hearing.