



CASE NO: Z2002211

Continued by City Council on December 12, 2002

Zoning Commission Meeting Date: November 05, 2002

Council District: 1

Ferguson Map: 582 A3

Appeal: No

Applicant:

Xenia Aguilar

Owner

Xenia Aguilar

Zoning Request: From "C-3 NA" Commercial Non-Alcoholic Sales District to "C-2" Commercial District.

Lot 3, NCB 11691

Property Location: 3454 West Avenue

Applicants Proposal: To permit a restaurant serving alcoholic beverages

Staff Recommendation:

Approval The subject property is currently zoned for commercial use and fronts along West Avenue, a secondary arterial on the Major Thouroughfare Plan. The subject property has existing commercial zoning to the west, a church to the north and abutts City Public Service power station to the east and south.

Zoning Commission Recommendation:

Approval

<u>VOTE</u>	
FOR	8
AGAINST	0
ABSTAIN	1
RECUSAL	0

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ZONING CASE NO. Z2002211 November 5, 2002

Applicant: Xenia Aguilar

Zoning Request: "C-3NA" Commercial Non-Alcoholic Sales District to "C-2" Commercial District.

Gaylore Reeves, 12508 Jones Maltsberger, representing the applicant, stated the purpose of this request is to relocate their restaurant, accommodate parking requirements and reduce traffic flow.

Xenia Aguilar, owner, stated they have been in business at the present location for approximately 8 years and would like to relocate to improve the parking and decrease traffic. She further stated the restaurant would sale alcohol with the consumption of food only. She also stated she has been in contact with the president of the neighborhood association which is in support of this request.

OPPOSE

Pastor Victor Toranzo, 3502 West Ave., stated he does not support this change. He stated their church is adjacent to the proposed restaurant. He feels this operation is inappropriate at this location. He stated he has expressed his concerns to Mrs. Aguilar concerning the sale of alcohol at the proposed restaurant.

Reverend Ramirez, stated he strongly opposes this request. He stated he has approximately 150 juveniles between ages 12 to 21 that attend youth services. He stated he feels this operation would have a negative impact on these juveniles.

REBUTTAL

Xenia Aguilar, stated her hours of operation would be from 11am to 9pm Saturday through Thursday and Friday till 11. She stated they intend to put up a privacy fence between the church and the proposed restaurant.

Staff stated there were 18 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor and no response from North central Neighborhood Association.

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 Grau to recommend approval.

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1. Property is located on Lots 3, NCB 11691 at 3454 West Avenue.
2. There were 18 notices mailed, 2 returned in opposition and 2 returned in favor.
3. Staff recommends approval.

AYES: Mehringer, Grau, Hophan, Sherrill, McAden, Morell, Martinez

NAYS: McGowan

ABSTAIN: Cardenas-Gamez

THE MOTION CARRIED.

RESULTS OF COUNCIL HEARING December 12, 2002

City Council granted a continuance on this case until January 9, 2003.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.