

ZONING CASE: Z2002-221

City Council District NO. 2
 Requested Zoning Change
 From: "R-4" To: "C-3 NA"
 Date: JANUARY 9, 2003
 Scale: 1" = 200'

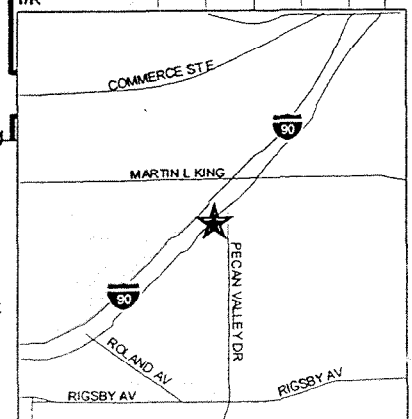
Subject Property

200' Notification

T-18
 A-7
 p.618



C:\WOV_5_2002_2



CASE NO: Z2002221

Continued from November 5 and November 19, 2002

Zoning Commission Meeting Date: December 03, 2002

Council District: 2

Ferguson Map: 618 A7

Appeal: No

Applicant:

David L. Hamilton & Charles E. Odom

Owner

David L. Hamilton and Charles E. Odom

Zoning Request: From "R-4" Residential Single Family District to "C-3 NA" Commercial Nonalcoholic Sales District.

LOT 28 and 29, Block 4, NCB 10263

Property Location: 375 and 379 Morningview Drive

Applicants Proposal: To permit a used car lot

Staff Recommendation:

Denial

The subject property is vacant, located at the end of a dead end residential street and has existing single family homes to the south. Staff discourages encroaching of "C-3" zoning and uses into a developed single family neighborhood. "C-3" zoning is encouraged at the intersection of major thoroughfares. The subject property has no frontage road access and the only access to the property is from Morningview.

Zoning Commission Recommendation:

Approval

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2002221

ZONING CASE NO. Z2002221 November 5, 2002

Applicant: David Hamilton & Charles Odom

Zoning Request: "R-4" Residential Single Family District to "C-3" Commercial District.

David Hamilton and Charles Odom, stated they are requesting this change in zoning to permit a used car lot. Mr. Hamilton stated he has been in the car sales business for 3 years and feels this operation would be good for the community.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Wheatley Heights 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 McGowan and seconded by Commissioner Sherrill to recommend denial.

AYES: McGowan, Sherrill, Martinez

NAYES: Grau, Cardenas-Gamez, Hophan, McAden

THE MOTION FAILED.

COMMISSION ACTION

The motion was made by Commissioner Grau and seconded by Commissioner Cardenas-Gamez to recommend a continuance until November 19, 2002.

1. Property is located on Lot 28 and 29, Block 4, NCB 10263 at 375 and 379 Morningview.
2. There were 27 notices mailed, 0 returned in opposition and 1 returned in favor.
3. Staff recommends approval.

AYES: Grau, Cardenas-Gamez, Hophan, Sherrill, McAden, Martinez

NAYS: McGowan

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

Z2002221

ZONING CASE NO. Z2002221 November 19, 2002

Applicant: David L. Hamilton & Charles E. Odom

Zoning Request: "R-4" Residential Single Family District to "C-3 Commercial District.

Charles Odom & David Hamilton, stated they are requesting this change in zoning to permit a used car lot on the subject property. Mr. Hamilton has been in the automobile sales industry for 3 years. Mr. Odom has been in the real estate community for 3 years. Mr. Odom stated he feels with their sales experience and over 76 signatures from the community this operation would be a positive impact for the neighborhood.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Wheatley Heights 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 McAden and seconded by Commissioner Morell to recommend a continuance until December 3, 2002.

1. Property is located on Lot 28 and 29, Block 4, NCB 10263 at 375 and 379 Morning View Drive.
2. There were 22 notices mailed, 0 returned in opposition and 0 returned in favor.
3. Staff recommends denial.

AYES: Mehringer, Grau, Cardenas-Gamez, Kissling, Hophan, Sherrill, McAden, Morell, Martinez

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

Z2002221

ZONING CASE NO. Z2002221 December 3, 2002

Applicant: David Hamilton & Charles Odom

Zoning Request: "R-4" Residential Single Family District to "C-3 Commercial District.

Charles Odom & David Hamilton, stated Mr. Hamilton has been in the auto sales business for 3 years. Mr. Odom stated he also has been active in the real estate business for 3 years and feels with their sale experience the auto sales operation would be very stressful. Mr. Odom stated this facility would be a positive impact to the community. They have collected 75 signatures from the surrounding neighbors who are in support of this request.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Wheatley Heights 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 McGowan and seconded by Commissioner Avila to recommend approval of "C-3NA".

1. Property is located on Lot 28 and 29, Block 4, NCB 10263 at 375 and 379 Morning View Drive.
2. There were 22 notices mailed, 0 returned in opposition and 1 returned in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.