

CASE NO: Z2003035 C

Staff and Zoning Commission Recommendation - City Council

Continuance from March 18, 2003 and April 1, 2003

Date: May 08, 2003

Zoning Commission Meeting Date: April 15, 2003

Council District: 10

Ferguson Map: 551 E7

Appeal:

Applicant:

David Pleasant

Owner

David Pleasant

Zoning Request: From "R-6" Residential Single-Family District to "R-6 C" Residential Single-Family District with conditional use for a real estate office

Lot 16, Block 2, NCB 12452

Property Location: 418 Haverford Drive

Southwest corner of Haverford Drive and Nacogdoches Road

Proposal: Proposed Real Estate Office

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

Denial. This site is an integral part of an existing neighborhood. An office at this location may start an undesirable trend of commercial development that can be harmful to the neighborhood. Commercial zoning such as "C-1" Commercial District or "NC", Neighborhood Commercial are not appropriate at this location because of the relationship of the site to the neighborhood.

Zoning Commission Recommendation

CASE MANAGER: Fred Kaiser 207-7942

VOTE

FOR	0
AGAINST	0
ABSTAIN	0
RECUSAL	0

ZONING CASE NO. Z2003035 March 18, 2003

Applicant: David Pleasant

Zoning Request: "R-6" Residential Single Family District to "O-1" Office District.

Jerry Rankin, Aviation Department, stated they recommend this residential property be converted to office use. He stated it is very compatible to Part 150 and this would not be affected by noise.

David Pleasant, 14015 Flairwood, owner, stated he is requesting this change in zoning to allow the property be used as a Real Estate office. He stated he feels this property is suitable for this type of use. He further stated the property is unsafe for residential use due to the high volume of traffic flow in the area.

FAVOR

Anita Pleasant, 14015 Flairwood, stated she would be operating the real estate office. She stated she has been in the real estate business for several years now and feels this property is appropriate for this use. She stated she has been in contact with the surrounding neighbors who are in support of this request.

OPPOSE

Fabian Castillo, 506 Shropshire Drive, stated he strongly opposes this request. He expressed concerns with the increase in traffic flow in the area. He stated this change in zoning would cause commercialization to overrun their boundaries. He stated subject property parking lot would overlap their driveway.

Manuel Castillo, 2641 Nacogdoches, stated he does not support this zoning change. He also expressed concerns with traffic and parking. He stated he has had problems in the past with vehicles blocking his driveway. He feels another business in their neighborhood would create more parking problems.

REBUTTAL

David Pleasant, stated he has tried to reach an agreement with the Castillo Family but no agreement has been made. He stated he has been in contact with City staff to have a curve cut to construct another driveway for parking.

Staff stated there were 19 notices mailed out to the surrounding property owners, 4 returned in opposition and 3 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 Grau and seconded by Commissioner McAden to recommend a continuance until April 1, 2003.

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1. Property is located on Lot 16, Block 2, NCB 12452 at 415 Haverford Drive.
2. There were 19 notices mailed, 4 returned in opposition and 3 in favor.
3. Staff recommends denial.

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

THE MOTION CARRIED

ZONING CASE NO. Z2003035 April 1, 2003

Applicant: David Pleasant

Zoning Request: "R-6" Residential Single Family District to "O-1" Office District.

David Pleasant, 14015 Flairwood, owner, stated the subject property is surrounded by commercial use. He stated their intent is to operate a real estate office at this location.

FAVOR

Fabian Castillo, 506 Shropshire Drive, stated he has met with Mr. Pleasant and they have reached an agreement. He stated he is in support of this request with the condition that a 6 foot chain link fence is provided.

Staff stated there were 19 notices mailed out to the surrounding property owners, 4 returned in opposition and 3 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 Grau and seconded by Commissioner McAden to recommend approval of "R-6" C for a real estate office.

1. Property is located on Lot 16, Block 2, NCB 12452 at 418 Haverford Drive.
2. There were 19 notices mailed, 4 returned in opposition and 3 in favor.
3. Staff recommends approval.

AYES: Martinez, Grau, Kissling, McGowan, Hophan, Sherrill, McAden, Avila, Mehringer
NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2003035 C April 15, 2003

Applicant: David Pleasant

Zoning Request: "R-6" Residential Single Family District to "R-6" C Residential Single-Family District with conditional use for a real estate office.

David Pleasant, 418 Haverford Drive, applicant, stated his is proposing to operate a real estate office on the subject property. He stated the subject property is surrounding by commercial use and feels this operation is compatible. He further stated he parking would be to the rear of the building to eliminate cars being visible to the residential neighbors across the subject property. He also has agreed to install a chain link fence.

FAVOR

Anita Pleasant, 418 Haverford Drive, stated their intent is to operate a real estate office on the subject property.

Staff stated there were 19 notices mailed out to the surrounding property owners, 4 returned in opposition and 3 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 Grau and seconded by Commissioner Morell to recommend approval of "R-6" C.

1. Property is located on Lot 16, Block 2, NCB 12452 at 418 Haverford Drive.
2. There were 19 notices mailed, 4 returned in opposition and 3 in favor.
3. Staff recommends denial.

**AYES: Martinez, Grau, Cardenas-Gamez, Kissling, McGowan, Hophan, Sherrill,
McAden, Avila, Morell**

NAYS: Mehringer

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing