

_____ Notices Mailed
 _____ In Opposition
 _____ In Favor

ZONING CASE: Z2003-207

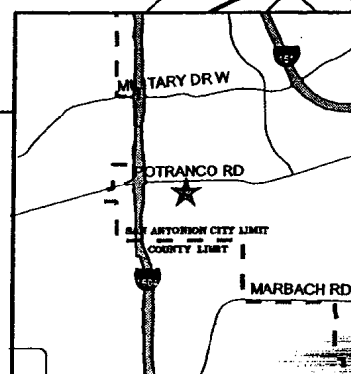
City Council Change NO. 4
 Requested Zoning Change
 From: "R-6" To "C-2,C-3"
 Date: January 8, 2004
 Scale: 1" = 350'

■ Subject Property
 ○ 200' Notification

I-0
 p.612
 B-4



C:\nov_4_2003



CASE NO: Z2003207

Staff and Zoning Commission Recommendation - City Council

Continuance from November 4, 2003

Date: January 08, 2004

Zoning Commission Meeting Date: November 18, 2003

Council District: 4

Ferguson Map: 612 B4

Appeal: No

Applicant:

Kaufman & Associates, Inc.

Owner:

B. J. McCombs

Zoning Request: From "R-6" Residential Single- Family District to "C-2" Commercial District on 8.975 acres and "C-3" General Commercial District on 29.62 acres
38.595 acres out of NCB 34362

Property Location: 10000 Block of Potranco Road

North of the intersection of Rousseau and Potranco Road

Proposal: To construct a retail shopping center

Neighborhood Association: Oak Creek Home Owners Association, and The Village of Westcreek Owners Association

Neighborhood Plan: None

TIA Statement: A level 3 traffic impact analysis was required, and it was recommended that R

Staff Recommendation:

Approval. Subject property is undeveloped land located south of the intersection of Rousseau and Potranco Road. There is "C-2" and "R-6" zoning and use across Potranco Road to the north. There is "C-3" zoning abutting subject property to the west, and "R-6" zoning to the south and east. The requested "C-3" zoning is consistent with General Commercial node of the western sector in the area, and the requested "C-2" zoning is a good transition between the "C-3" zoning to the west, and the residential property across Potranco Road to the northeast.

Zoning Commission Recommendation:

Approval

VOTE

FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Elvin J. Gant, Jr. 207-5876

Z2003207

ZONING CASE NO. Z2003207 – November 4, 2003

Applicant: Kaufman & Associates, Inc.

Zoning Request: "R-6" Residential Single Family District to "C-3" Commercial District.

Rob Killen, 100 W. Houston, representing the owner, stated he has met with the neighborhood association and the surrounding neighbors to discuss this case. He stated they are proposing to construct a retail shopping center. He also stated they have agreed to amend their original request to meet staffs recommendations.

FAVOR

Nancy Englerberg, 10486 Pine Glade, stated they are in support of this zoning request with the following conditions: No sexually oriented businesses; no gun platen saloons, no mobile home or manufactured home park; no new or used car lots businesses; no storage unit facility; no cellular towers and to provide more trees on the subject property.

Mary Lee Buttner, stated she is concerned with the "C-3" zoning due to the many businesses that may occur however after meeting with Mr. Killen they have agreed to a "C-3" zoning use with several conditions. Therefore they are in support of this request.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 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 Avila and seconded by Commissioner McAden to recommend a continuance until November 18, 2003.

1. Property is located on 38.594 acres out of NCB 34362 at 10000 Block of Potranco Road.
2. There were 13 notices mailed, 0 returned in opposition and 2 in favor.
3. Staff recommends approval.

AYES: Martinez, Grau, Cardenas-Gamez, Dutmer, Dixon, Sherrill, McAden, Avila, Peel

NAYS: None

THE MOTION CARRIED

Z2003207

ZONING CASE NO. Z2003207 – November 18, 2003

Applicant: Kaufman & Associates, Inc.

Zoning Request: "R-6" Residential Single Family District to "C-3" Commercial District.

Rob Killen, 100 W. Houston, representing the owner, stated they are proposing to develop a commercial shopping center. He stated he has met with the surrounding property owners to further discuss this development. He further stated he feels he has as addressed their concerns.

FAVOR

Nancy Engelberg, Pine Glade, stated she is in support of this request. She stated they have met with Mr. Killen and have requested the following conditions be met: a.) No SOB businesses or use; b.) From present to infinity no trailer or mobile homes; c.) No Cellular Towers; d.) No new or used car sales lots; e.) No storage units; f.) No 8-liner gambling businesses; g.) No bars. She further stated they also ask for tree preservation.

Mary Lee Buettner, stated they are in support of this request. She stated her only concern would be the increase in traffic in this area with this development. She stated they have met with Mr. Killen and have been assured that this issue will be addressed.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 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 Avila and seconded by Commissioner Dutmer to recommend approval from "R-6" to "C-2" and "C-3" with the conditions requested but the Heritage Neighborhood Association: a.) No SOB businesses or use; b.) From present to infinity no trailer or mobile homes; c.) No Cellular Towers; d.) No new or used car sales lots; e.) No storage units; f.) No 8-liner gambling businesses; g.) No bars. She further stated they also ask for tree preservation.

1. Property is located on 38.594 acres out of NCB 34362 at 10000 Block of Potranco Road.
2. There were 13 notices mailed, 0 returned in opposition and 2 in favor.
3. Staff recommends denial.

Z2003207

**AYES: Grau, Cardenas-Gamez, Kissling, Dutmer, Dixon, Sherrill, McAden, Avila,
Peel**

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.