

CASE NO: Z2003155

Staff and Zoning Commission Recommendation - City Council

Zoning Commission Continuance from September 2, 2003 and October 7, 2003 and a City Council Continuance from November 13, 2003 and December 4, 2003

Date: January 08, 2004

Zoning Commission Meeting Date: October 21, 2003

Council District: 3

Ferguson Map: 718 E1

Appeal: No

Applicant:

Southton Ranch, Ltd.

Owner:

Southton Ranch, Ltd.

Zoning Request: From "NP-10" Neighborhood Preservation District to "MF-25" Multi-Family District (20.647 acres) and "R-5" Residential Single-Family District (96.224 acres)

A 116.871 acre tract of land out of NCB 16624

Property Location: 13334 Southton Road

East of the intersection of Southton Road and M.K.T. Railroad

Proposal: To develop multi-family and single-family dwellings

Neighborhood Association: None

Neighborhood Plan: Southside Initiative Community Plan

TIA Statement: A level two traffic impact analysis is required

Staff Recommendation:

Denial. The 116.871 acre site is located within the Southside Initiative Community Plan. The "MF-25" Multi-Family District and "R-5" Residential Single-Family District is not consistent with the Southside Initiative Community Plan. The Southside Initiative Community Plan calls for rural living (Large lot sizes with low density).

Zoning Commission Recommendation:

Approval

VOTE

FOR 6

AGAINST 3

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Mona Lisa Faz 207-7945

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ZONING CASE NO. Z2003155 – September 2, 2003

Applicant: Southton Ranch, Ltd.

Zoning Request: "NP-10" Neighborhood Preservation District to "MF-25" Multi Family District (20.647 acres) and "R-5" Residential Single Family District (96.224 acres).

Ken Brown, 111 Soledad, representing the applicant, stated they are proposing to develop single family and multi family dwellings on the subject property. He stated the surrounding residents in the area-expressed concerns with the density. He stated he feels they have addressed the density issue.

OPPOSE

Reba Malone, 807 Kashmire, stated she does not support this request. She stated she is for new development however she is concerned with the overcrowding of the students in the school. She stated she feels this needs to be address. She also expressed concerns with the streets not being suitable for the heavy traffic this development would bring into the area.

Jane Ruzzo, stated she expressed concerns with the type of housing that would be developed in the area. She stated she would like to see good quality homes in keeping the positive balance growth.

Tony Leiva, 15240 Henze Road, stated he encourages new development however he expressed concerns with the roads not being in conformance with this type of development. He also expressed concerns with the type of housing that will be developed. He stated he does not invite low-income housing into the neighborhood. He would also like to state that he was not officially notified of this hearing.

Lilia Guevara, 13720 Southton Road, stated she is concerned with the school not having adequate school buses for the children in the neighborhood now and feels this development would only add to the problem. She also is concerned with the types of housing that would be developed in this area.

Beatrice Olivarez, 13407 Henze Road, stated she is also concerned with not having enough school buses for the children in the area now.

Marsha Fitzsimons, 4450 Mickey Road, expressed the same concerns of the overcrowding of the buses and schools.

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REBUTTAL

Ken Brown, 111 Soledad, stated he stated this project falls within the Southside Initiative area. He stated they have improved the streets in this area and is not suitable for this development. He further stated they also have addressed the density issue.

Steve Hanan, stated the type of housing that will be developed would be 1 to 2 story homes. These homes would not be considered low-income housing. The square footage of these proposed homes would be 1,100 to 2,000 square feet.

Staff stated there were 15 notices mailed out to the surrounding property owners, 3 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 Dutmer and seconded by Commissioner Dixon to recommend a continuance until October 7, 2003.

1. Property is located on 116.871 acre tract of land out of NCB 16624 at 13334 Southton Road.
2. There were 15 notices mailed, 3 returned in opposition and 1 in favor.
3. Staff recommends denial.

AYES: Martinez, Grau, Cardenas-Gamez, Kissling, Dutmer, Dixon, McAden, Morell, Peel

NAYS: Sherrill, Avila

THE MOTION CARRIED

ZONING CASE NO. Z2003155 – October 7, 2003

Applicant: Southton Ranch, Ltd.

Zoning Request: "NP-10" Neighborhood Preservation District to "MF-25" Multi Family District (20.647 acres) and "R-5" Residential Single Family District (96.224 acres).

Ken Brown, 111 Soledad, representing the applicant, stated he has met with the neighborhood association and would like to request a two-week continuance to further discuss the proposed development with the neighborhood association.

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OPPOSE

Reba Malone, 807 Kashmir, stated they strongly oppose this proposed development. She stated being that since this case would be continued she would reserve her comments until the next public hearing.

Antonio Leyva, 15240 Henze Road, stated this case has been continued numerous times and feels action should be taken on this case this evening. He stated he has met with the developer and no agreement has been made. He further stated they are for new development however he is concerned with the quality of these structures and also the density of this project.

Isabel Leyva, 15240 Henze Road, stated she is in support of the Southside Initiative Plan with the rural 1-acre lots.

Fernando Flores, 14057 Henze Road, stated he is also in opposition of the proposed development. He stated they have met with the developer and feels agreement has been made. He feels this type of housing would have a negative impact on the community and feels this would invite low income families to the neighborhood.

Manuel Olivarez, 13407 Henze Road, stated he is opposition of this request. He stated he has not been properly informed of the previous meetings nor the meeting with the developer.

Mary Flores, stated she is in opposition of the proposed development. She stated they have met with the developer and feels he has not presented his case clearly.

Emery Kyrisch, 14765 Flatten Road, stated he is in opposition of this proposed development. He stated this case has been continued numerous times and feels action should be taken on this case today. He expressed concerns with the roads being too narrow, no lighting on streets, emergency services are not immediately available and schools being overcrowded. He stated these are several issues that have not been addressed.

Isabel Garcia, 14057 Henze Road, stated she is also in opposition of this request. She is for new development however she expressed concerns with the type of housing that would be developed.

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REBUTTAL

Ken Brown, 111 Soledad, stated they have discussed the proposed development with the neighboring property owners and they have amended their original request from "R-4" to "R-5" for a reduction in density. He feels they have addressed their concerns and are willing to further discuss this project to reach an agreement.

Staff stated there were 15 notices mailed out to the surrounding property owners, 3 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 Dutmer and seconded by Commissioner Cardenas-Gamez to recommend a continuance until October 21, 2003.

1. Property is located on a 116.871 acre tract of land out of NCB 16624 at 13334 Southton Road.
2. There were 15 notices mailed, 3 returned in opposition and 1 in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2003155 – October 21, 2003

Applicant: Southton Ranch, Ltd.

Zoning Request: "NP-10" Neighborhood Preservation District to "MF-25" Multi Family District (20.647 acres) and "R-5" Residential Single Family District (96.224 acres).

Ken Brown, 111 Soledad, representing the applicant, stated they are proposing multi family and single family dwelling on the subject property. He stated he has met with the surrounding property owner and has agreed to reduce the density of the purposed development. He further stated they have also agreed to a minimum of 45-foot frontage.

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OPPOSE

Reba Malone, 807 Kashmire, stated she strongly opposes this request. She stated this case was continued from the last public hearing so that the developer may meet with the surrounding property owners to further discuss his proposal. She stated the developer has not met with them nor has made an attempt to contact any of the residents in the neighborhood.

Harold Henze, 4389 Mickey, stated is also in opposition of this request. He expressed concerns with density of the proposed development. He also expressed concerns with the drainage problems in the neighborhood. He feels this development would have a negative impact on the community. He stated he would like this area to remain rural living.

Fernando Flores, 14057 Henze Road, stated they are in support of new development however he expressed concerns with the density. He stated they would like one house per one acre. He further stated he feels with this new development would overcrowd the schools. He also expressed concerns with the drainage problems in the area. He also stated the developer had not made any attempt in contacting them to further discuss this development.

Jan Ruzzo, 3076 Wright Carpenter, stated she does not support this request. She also expressed concerns with the drainage problems in the neighborhood. She stated this development would have a negative impact on the neighborhood.

Isabel Leiva, 15240 Henze Road, stated she opposes this development. She stated they are in support of new development however they are concerned with the density of this development.

Emery Kyrisch, 14765 Flatten Road, he does not support this request. He stated this area needs street maintenance and drainage improvements and feels this area is not prepared for this new development. He also expressed concerns with the overcrowding of schools and fire and police protection.

Thora Jendrzey, 4569 Mickey Road, stated she is expressed concerned with the drainage problems in the area. She stated she feels this development would only add to the problem. She also stated the developer has not met with them to have this issues addressed.

Mary Flores, 14057 Henze Road, stated she is for growth in the South Side however she is in opposition of the 450 homes that are being proposed. She further stated they have not met with the developer nor has there been and attempt to contact the surrounding neighbors.

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Beatrice Olivarez, 13407 Henze Road, stated she is opposition of this zoning request.

Santa Garza, 15850 Flatten Road, stated the developer to further discuss this development has not contacted her. She expressed concerns with the drainage problems in this area and the overcrowding of schools. She feels these issues should be addressed before any type of development is proposed.

Isabel Garcia, 14057 Henze Road, stated they are in support of new development however they are concerned with the density of this project.

Edward Planten, 231 Carol Ann, stated his property was affect in the flood of 1998. He stated the drainage problems in this area should be addressed before bring in new development in the neighborhood.

REBUTTAL

Ken Brown, 111 Soledad, representing the applicant, stated this project is approximately a 7-year project. This project consists of 450 homes. He stated they have agreed to fully comply with the City's Unified Development Code. He further stated they have addressed the density issue, which has been reduced.

Staff stated there were 15 notices mailed out to the surrounding property owners, 3 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 Dutmer and seconded by Commissioner Grau to recommend approval.

1. Property is located on 116.871-acre tract of land out of NCB 16624 at 13334 Southton Road.
2. There were 15 notices mailed, 3 returned in opposition and 1 in favor.
3. Staff recommends approval.

AYES: Martinez, Grau, Dutmer, Dixon, McAden, Peel

NAYS: Kissling, Sherrill, Avila,

THE MOTION CARRIED

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RESULTS OF COUNCIL HEARING November 13, 2003

City Council granted a continuance until January 8, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.