



CASE NO: Z2003174

Staff and Zoning Commission Recommendation - City Council

Zoning Commission: Continuance from October 7, 2003 and October 21, 2003

Date: January 08, 2004

Zoning Commission Meeting Date: November 18, 2003

Council District: 4

Ferguson Map: 648 A6

Appeal: No

Applicant: MTD Investments, Inc.

Owner:
Gene Liguori

Zoning Request: From "C-2" Commercial District & "NP-8" Neighborhood Preservation District to "R-6" Residential Single-Family District

20.1 acres out of NCB 15258

Property Location: Five Palms Drive at Branch Valley Dr

The west side of Five Palms Drive between Medina Base Road and Laurel Valley Drive

Proposal: To develop residential lots

Neighborhood Association: People Active in Community Efforts

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval. The requested R-6 is a substantial down-zoning from the existing "C-2". "C-2" Commercial permits the development of apartments at 33 units per acre. "R-6" residential allows only 7 units per acre. Approval of the "R-6" request will significantly reduce the potential residential development on the site and eliminate any potential for commercial development.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Fred Kaiser 207-7942

VOTE

FOR	9
AGAINST	0
ABSTAIN	0
RECUSAL	0

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ZONING CASE NO. Z2003174- October 7, 2003

Applicant: MTD Investments, Inc.

Zoning Request: "C-2" Commercial District and "NP-8" Neighborhood Preservation District to "R-4" Residential Single Family District.

Applicant/Representative not present.

Staff stated there were 18 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and no response from People Active in Community Efforts.

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 a continuance until October 21, 2003.

1. Property is located on 20.1 acres out of NCB 15258 at Five Palms Drive.
2. There were 18 notices mailed, 1 returned in opposition and 3 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. Z2003174 – October 21, 2003

Applicant: MTD Investment, Inc.

Zoning Request: "C-2" Commercial District and "NP-8" Neighborhood Preservation District to "R-4" Residential Single Family District.

Ruben Pena, representing the applicant, stated he has been in contact with the president of the neighborhood association and will be meeting with them at a later date. He stated would like to request a 30-day continuance on this case to present his proposal to the neighborhood association. He stated further stated he has also been in contact with the Councilman Perez's staff and the school district.

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Staff stated there were 18 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and no response from People Active in Community Efforts.

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 a continuance until November 18, 2003.

1. Property is located on 20.1 acres out of NCB 15258 at Five Palms Drive.
2. There were 18 notices mailed, 1 returned in opposition and 3 in favor.
3. Staff recommends denial.

AYES: Martinez, Kissling, Dutmer, Dixon, McAden, Avila, Peel

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2003174 – November 18, 2003

Applicant: MTD Investments, Inc.

Zoning Request: "C-2" Commercial District and "NP-8" Neighborhood Preservation District to "R-4" Residential Single Family District.

Ruben Pena, 257 Mayfield, representing the applicant, stated he would like to amend his request to "R-6". He stated they intend to develop residential lots on the subject property. He stated he has made numerous attempts in trying to contact the representative from PACE (People Active in Community Efforts) and there has been no response.

Staff stated there were 18 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and People Active in Community Efforts is in opposition.

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.

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COMMISSION ACTION

The motion was made by Commissioner Avila and seconded by Commissioner Cardenas-Gamez to recommend approval of "R-6".

1. Property is located on 20.1 acres out of NCB 15258 at Five Palms Drive at Branch Valley Drive.
2. There were 18 notices mailed, 1 returned in opposition and 3 in favor.
3. Staff recommends denial.

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.