

CASE NO: Z2003089

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from May 20, 2003, June 3, 2003 and June 17, 2003
City Council continuance from August 14, 2003, September 11, 2003 and December 4, 2003

Date: January 22, 2004

Zoning Commission Meeting Date: July 15, 2003

Council District: 8

Ferguson Map: 548 E-5

Appeal: No

Applicant: Owner

Earl & Brown, P.C.

Judith N. Morton; Contact: Sam Parnes

Zoning Request: From "R-6" Residential Single-Family District to "C-2" Commercial District
12.07 acres save and except Lot 12, 13 and 14, Block 5, NCB 14705

Property Location: Northwest side of Huebner Road
Northwest side of Huebner Road, 119.64 feet northeast of Southwell Road

Proposal: All uses allowed under "C-2" Commercial District

Neighborhood Association: Oakland Estates Neighborhood Association

Neighborhood Plan: Oakland Estates Neighborhood Plan

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

Approval. The land use goals outlined in the Oakland Estates Neighborhood Plan indicate a desire to retain the existing zoning. The Oakland Estates Neighborhood Plan, however, does support commercial zoning along Huebner Road.

Zoning Commission Recommendation

Approval

VOTE

FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Pedro G. Vega 207-7980

Z2003089

ZONING CASE NO. Z2003089 – May 20, 2003

Applicant: Earl & Brown, P. C.

Zoning Request: "R-6" Residential Single Family District to "C-2" Commercial District.

Ken Brown, 111 Soledad, representing the owner, stated they are requesting this change in zoning so that the owner may market the property for all uses allowed under "C-2" Commercial District. He further stated he agrees with a continuance on this case.

OPPOSE

Sue Snyder, 5655 Lockhill Selma, stated she collected a petition of the surrounding residents who are not in support of this request. She stated they have great concerns on traffic in this area. She also expressed concerns with drainage issues.

Mike Coronado, 5302 Verbera Road, stated he feels the drainage issues should be addressed before any type of development should occur.

Lenada Tracy, 5303 Verbera Road, stated she would like to keep the character of the neighborhood. She is concerned that this "C-2" may destroy the country atmosphere of the neighborhood.

Ross Laughead, 5975 Lockhill Road, stated he would also like for this area to remain residential. He stated there are some drainage issues that need to be addressed and feels this change may invite more drainage problems.

REBUTTAL

Ken Brown, 111 Soledad, stated he is in agreement with a continuance to have more time to discuss this case with the neighborhood association.

Staff stated there were 25 notices mailed out to the surrounding property owners, 7 returned in opposition and 13 returned are in favor and Oakland Estates Neighborhood Association and Northwest Interstate Coalition 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.

COMMISSION ACTION

The motion was made by Commissioner Morell and seconded by Commissioner Grau to recommend a continuance until June 3, 2003.

Z2003089

1. Property is located on 12.07 acres of land out of Block 5, NCB 14705 at Huebner Road and Southwell Road.
2. There were 25 notices mailed, 7 returned in opposition and 13 in favor.
3. Staff recommends approval.

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

NAYS: None

THE MOTION CARRIED.

ZONING CASE NO. Z2003089 – June 3, 2003

Applicant: Earl & Brown, P. C.

Zoning Request: "R-6" Residential Single Family District to "C-2" Commercial District.

Applicant/Representative not present.

Staff stated there were 25 notices mailed out to the surrounding property owners, 7 returned in opposition and 13 returned in favor and Oakland Estates and Northwest Coalition Neighborhood Association are in opposition. A petition with 49 signatures in opposition was also submitted.

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 Morell and seconded by Commissioner Grau to recommend a continuance until June 17, 2003.

1. Property is located on 12.07 acres of land out of Block 5, NCB 14705 at Huebner Road and Southwell Road.
2. There were 25 notices mailed, 7 returned in opposition and 13 in favor.
3. Staff recommends approval.

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

NAYS: None

THE MOTION CARRIED.

Z2003089

ZONING CASE NO. Z2003089 -- June 17, 2003

Applicant: Earl & Brown, P. C.

Zoning Request: "R-6" Single Family Residence District to "C-2" Commercial District.

Ken Brown, 111 Soledad, representing the owner, stated he would like to request a continuance until July 15, 2003. He stated he has been in contact with Mr. Ross Laughead and would like more time to discuss this case.

Staff stated there were 25 notices mailed out to the surrounding property owners, 7 returned in opposition and 13 returned in favor and Oakland Estates Neighborhood Association and the Northwest Interstate Coalition of Neighbors is in opposition and a petition was submitted with 80 signatures who are 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.

COMMISSION ACTION

The motion was made by Commissioner Morell and seconded by Commissioner McAden to recommend a continuance until July 15, 2003.

1. Property is located on 12.07 acres of land out of Block 5, NCB 14705 at Huebner Road and Southwell Road.
2. There were 25 notices mailed, 7 returned in opposition and 13 in favor.
3. Staff recommends approval.

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

NAYS: None

ABSTAIN: McAden

THE MOTION CARRIED.

ZONING CASE NO. Z2003089 -- July 15, 2003

Applicant: Earl & Brown, P. C.

Zoning Request: "R-6" Single Family Residence District to "C-2" Commercial District.

Z2003089

Ken Brown, 111 Soledad, representing the owner, stated he would like to withdraw a portion of this case. He stated their intent is to market the property for all uses allowed under the "C-2" Commercial District.

Ross Laughead, stated he has been working with Mr. Brown regarding this case and an agreement has been reached. He stated he is in favor of this request.

REBUTTAL

Ken Brown, 111 Soledad, stated he feels he has addressed Mr. Laughead's concerns and would continue to work with him to resolve any other concerns he may have.

Staff stated there were 25 notices mailed out to the surrounding property owners, 7 returned in opposition and 13 returned in favor. Oakland Estate Neighborhood Association and Northwest Interstate Coalition of Neighbors are in opposition and a petition with 91 signatures in opposition was submitted.

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 Morell and seconded by Commissioner McAden to recommend approval of "C-2" as revised to include only those lots fronting on Huebner Road.

1. Property is located on 12.07 acres of land out of Block 5, NCB 14705 at Huebner Road and Southwell Road.
2. There were 25 notices mailed, 7 returned in opposition and 13 in favor.
3. Staff recommends approval.

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

NAYS: None

THE MOTION CARRIED.

RESULTS OF COUNCIL HEARING August 14, 2003

City Council granted a continuance on this case until August 28, 2003

Z2003089

RESULTS OF COUNCIL HEARING August 28, 2003

City Council granted a continuance on this case until September 11, 2003

RESULTS OF COUNCIL HEARING September 11, 2003

City Council granted a continuance on this case until December 4, 2003

RESULTS OF COUNCIL HEARING December 4, 2003

City Council granted a continuance until January 22, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.