



# CASE NO: Z2003090

## Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from May 20, 2003, June 3, 2003 and June 15, 2003  
City Council continuance from August 14, 2003, September 11, 2003 December 04, 2003, January 22,

**Date:** February 26, 2004

**Zoning Commission Meeting Date:** July 15, 2003

**Council District:** 8

**Ferguson Map:** 548 E-4

**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 (22.44 acres) and "C-3R" General Commercial District, Restrictive Alcoholic Sales (3.47 acres)

25.91 acres of land out of Block 2, NCB 14864

**Property Location:** North of Huebner Road., south of Prue Road and west of the proposed New Prue Road

Between Huebner Road and Prue Road, having 429.17 feet on Huebner Road and 738.48 feet on Prue Road.

**Proposal:** So that the owner may market the individual parcels for all uses included under each requested zoning classification.

**Neighborhood Association:** Oakland Estates Neighborhood Association

**Neighborhood Plan:** Oakland Estates Neighborhood Plan

**TIA Statement:** A traffic impact analysis is not required.

### Staff Recommendation:

Approval of the requested "C-3R" General Commercial District, Restrictive Alcoholic Sales (3.47 acres). Denial of the requested "C-2" Commercial District (22.44 acres) and Approval of "C-2 NA" Commercial Non-Alcoholic Sales District (22.44 acres). 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

**Z2003090**

**ZONING CASE NO. Z2003090** – May 20, 2003

Applicant: Earl & Brown, P. C.

Zoning Request: "R-6" Residential Single Family District to "C-2" Commercial District (22.44 acres) and "C-3R" Commercial District Restrictive Alcoholic Sales (3.47 acres).

Ken Brown, 111 Soledad, representing the owner, stated he is in agreement with the neighborhood association in requesting an "NA" designation on the subject property. He stated they are requesting this change in zoning so that the owner may market the individual parcels for all uses included under each requested zoning classification.

**OPPOSE**

Ross Laughead, stated he is concerned with the road dedication and drainage issues. He stated he would like to discuss this case further with Mr. Brown to reach an agreement.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 16 returned in favor and Oakland Estates and Northwest Coalition Neighborhood Association 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 McAden to recommend a continuance until June 3, 2003.

1. Property is located on 25.91 acres of land out of Block 2, NCB 14864 at north of Huebner Road, south of Prue Road and west of the proposed New Prue Road.
2. There were 30 notices mailed, 0 returned in opposition and 16 in favor.
3. Staff recommends approval.

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

**NAYS:** None

**THE MOTION CARRIED.**

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**ZONING CASE NO. Z2003090** – June 3, 2003

Applicant: Earl & Brown, P. C.

Zoning Request: "R-6" Residential Single Family District to "C-2" Commercial District (22.44 acres) and "C-3R" Commercial District, Restrictive Alcoholic Sales (3.47 acres).

Applicant/Representative not present.

Bob Optiz, Development Services Engineer, stated this is a designated CIP for the City of San Antonio. He stated they have reviewed this twice in preliminary reviews and the land has not been dedicated to the City.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 20 returned in favor and Oakland Estates and Northwest Coalition Neighborhood Association 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 Sherrill to recommend a continuance until June 17, 2003.

1. Property is located on 25.91 acres of land out of Block 2, NCB 14864 at north of Huebner Road, south of Prue Road and west of the proposed New Prue Road.
2. There were 30 notices mailed, 0 returned in opposition and 20 in favor.
3. Staff recommends approval.

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

**NAYS: None**

**THE MOTION CARRIED.**

**ZONING CASE NO. Z2003090** – June 17, 2003

Applicant: Earl & Brown, P. C.

**Z2003090**

Zoning Request: "R-6" Residential Single Family District to "C-2" Commercial District (22.44 acres) and "C-3R" Commercial District, Restrictive Alcoholic Sales (3.47 acres).

Ken Brown, 111 Soledad, representing the owner, stated he would like to request a continuance until July 15, 2003.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 16 returned in favor and Oakland Estates Neighborhood Association and the Northwest Interstate Coalition of Neighbors 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 Grau to recommend a continuance until July 15, 2003.

1. Property is located on 25.91 acres of land out of Block 2, NCB 14864 at North of Huebner Road, south of Prue Road and west of the proposed New Prue Road.
2. There were 30 notices mailed, 0 returned in opposition and 16 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. Z2003090 – July 15, 2003**

Applicant: Earl & Brown, P. C.

Zoning Request: "R-6" Residential Single Family District to "C-2" Commercial District (22.44 acres) and "C-3R" Commercial District, Restrictive Alcoholic Sales (3.47 acres).

Ken Brown, 111 Soledad, representing the owner, stated this property is adjacent to the previous case. This property is a "C-2" with "C-2" uses all around the subject property. He stated their intent is to market the individual parcels for all uses included under each requested zoning classifications.

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**FAVOR**

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

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and 16 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 McAden to recommend approval.

1. Property is located on 25.91 acres of land out of Block 2, NCB 14864 at North of Huebner Road, south of Prue Road and west of the proposed New Prue Road.
2. There were 30 notices mailed, 0 returned in opposition and 6 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 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 COUNCIL HEARING January 22, 2004

City Council granted a continuance until February 26, 2004

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**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.