



# CASE NO: Z2004052C

## Staff and Zoning Commission Recommendation - City Council

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**Date:** April 08, 2004

**Zoning Commission Meeting Date:** March 16, 2004

**Council District:** 2

**Ferguson Map:** 617 D4

**Appeal:** No

**Applicant:**

Salah E. Diab, Ph.D, P. E.

**Owner:**

Antioch Missionary Baptist Church

**Zoning Request:** From "R-4 EP-1" Residential Single-Family Facility Parking/Traffic Control District to "R-4 EP-1 C" Residential Single-Family Facility Parking/Traffic Control District with conditional use for a noncommercial parking lot

Lots 15, 16 & 17, Block 4, NCB 6624

**Property Location:** 703, 707, 711 Poinsettia

**Proposal:** To construct a church noncommercial parking lot

**Neighborhood Association:** Harvard Place/Eastlawn Neighborhood Association

**Neighborhood Plan:** Arena District/Eastside Plan

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

### **Staff Recommendation:**

Approval of "R-4 EP-1 C" Residential Single-Family Facility Parking/Traffic Control District with conditional use for a noncommercial church parking lot. The requested zoning is consistent with the Harvard Place/Eastlawn Neighborhood Plan if the use is limited to church parking only. The Plan recommends Medium density, Single family, & Mixed Residential uses in this location, including certain non-residential activities, such as churches and schools. The plan suggests that all off-street parking & vehicle use areas adjacent to residential use require buffer landscaping, lighting, and signage controls.

In order to provide consistency staff recommends the following conditions:

- 1) Signs shall be no more than 3 sq ft in accordance with 35-422 (e) (3).
- 2) A type A buffer shall be provided along the front of the property and a minimum of 4 feet along the perimeter of the site using a combination of small and medium shrubs
- 3) Exterior lighting fixtures shall not emit a significant amount of the fixture total output above a vertical cut-off angle of ninety degrees.

### **Zoning Commission Recommendation:**

Approval with staff's conditions

### **VOTE**

**FOR** 10

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

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

**Z2004052 C**

**ZONING CASE NO. Z2004052 – March 16, 2004**

Applicant: Salah E. Diab, PhD, P. E.

Zoning Request: "R-4" EP-1 Residential Single Family Facility Parking/Traffic Control District to "R-4" EP-1 C Residential Single Family Facility Parking/Traffic Control District with conditional use for a noncommercial parking lot.

Salah E. Diab, 2939 Mossrock, representing the applicant, stated this request is the same as the pervious case. He stated their intent is to construct a church noncommercial parking lot on the subject property. He further stated this request is consistent with the neighborhood plan. He also stated he agrees with staff's recommendations.

**FAVOR**

Cleveland Wilson, 12827 Provision, stated he is in support of this request.

Oscar Williams, 3435 Belgium Lane, stated he is in favor of this request. He further stated this request is consistent with the neighborhood plan. He stated he agrees with staff's recommendations.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Harvard Place/Eastlawn Neighborhood Association is 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.

**FINDING OF CONSISTENCY OF THE MASTER PLAN**

**COMMISSION ACTION**

The motion was made by Commissioner Dixon and seconded by Commissioner Kissling to recommend approval.

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

**NAYS:** None

**THE MOTION CARRIED.**

**RECOMMENDATION ON ZONING CASE REQUEST.**

**COMMISSION ACTION**

The motion was made by Commissioner Dixon and seconded by Commissioner Dutmer to recommend approval with the following conditions: 1.) Signs shall be no more than 3 square feet in accordance with 35-422 (e) (3); 2.) A type "A" buffer shall be provided along the front of the property and a minimum of 4 feet along the perimeter of the site using a combination of small and medium shrubs; 3.) Exterior lighting fixtures shall not emit a significant amount of the fixture total output above a vertical cut-off angle of ninety degrees.

1. Property is located on Lots 13A, 13B & 14A, Block 19, NCB 6377 at 653 Gulf Street.
2. There were 27 notices mailed, 0 returned in opposition and 3 in favor.
3. Staff recommends approval.

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

**NAYS: None**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.