

# **ZONING CASE: Z2004-056**

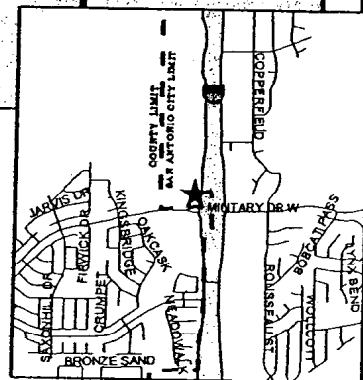
City Council District NO. 6  
 Requested Zoning Change  
 From: "R-6" To "C-3"  
 Date: June 10, 2004  
 Scale: 1" = 200'

Subject Property  
 200' Notification

**C-3**  
**p.653**



C:\MAR\_2\_2004  
 (2.A.)



# CASE NO: Z2004056

## Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from March 16, 2004

Date: June 10, 2004

Zoning Commission Meeting Date: April 20, 2004

Council District: 6

Ferguson Map: 612 A2

Appeal: No

Applicant:

Upland REM, Inc., c/o Wade  
Construction

Owner:

Farmco Trust, VWC, Ltd.

**Zoning Request:** From "R-6" Residential Single-Family District to "C-3" General Commercial District

4.28 acres out of NCB 34400

**Property Location:** Northwest corner of West Loop 1604 North and West Military Drive

**Proposal:** To allow commercial uses

**Neighborhood Association:** Villages of Westcreek Owners Association

**Neighborhood Plan:** None

**TIA Statement:** A Level 1 Traffic Impact Analysis was submitted as required

### Staff Recommendation:

Approval. The subject property is vacant land currently zoned "R-6" following a recent annexation. The subject property is located at the intersection of an arterial street (West Military Drive) and freeway (West Loop 1604 North). "C-3" zoning is encouraged at these major intersections making this is an appropriate location for a commercial node. Based on the Level 1 TIA submitted, the proposed development will not have an adverse traffic impact on the area.

### Zoning Commission Recommendation:

Approval

### VOTE

FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Eric Dusza 207-7442

**Z2004056**

**ZONING CASE NO. Z2004056 – March 16, 2004**

Applicant: Upland REM, Inc., c/o Wade Construction

Zoning Request: "R-6" Residential Single Family District to "C-3" General Commercial District.

Andy Guerrero, 3134 Renker, representing the applicant, stated he would like to request a 30-day continuance to further discuss this case with the neighborhood association.

**OPPOSE**

Dwayne Martin, 12354 Military Drive West, stated he would like this case be continuance to have more time to discuss this development with the applicant. He would like several issues be addressed.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor. Villages of Westcreek Owners Association requested a 30-day continuance on this case.

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 Peel and seconded by Commissioner McAden to recommend a continuance until April 20, 2004.

1. Property is located on 4.28 acres out of NCB 34400 at northwest corner of West Loop 1604 North and West Military Drive.
2. There were 7 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**

**ZONING CASE NO. Z2004056 – April 20, 2004**

Applicant: Upland REM, Inc., c/o Wade Construction

**Z2004056**

Zoning Request: "R-6" Residential Single Family District to "C-3" General Commercial District.

Andy Guerrero, 3134 Renker, representing the applicant, stated the purpose of this request is to develop a Walgreen's on the subject property. This proposal is compatible with the surrounding uses that are also retail use. He stated he has met with Traffic Engineering staff to present their proposal and was approved. He further stated he has met with the representatives from the Homeowners Association.

Michael Lackey, 12950 Old Country Parkway, stated they have met with the neighborhood association who are in support of this request. He further stated they have composed deed restrictions that consist of no sexually oriented or adult entertainment businesses; liquor stores, skating rink, billiard, parlors, blood banks, massage parlors, health clubs, gymnasium, amusement parks, no mining and no car washes. He stated the residents raised concerns with increase in traffic however 1604 in the process of widening which would alleviate some congestion.

#### **OPPOSE**

Darrell Richards, 1235 Military Dr. West, representing Villages of West Creek, stated they are in opposition of this request. He expressed concerns with the increase in traffic Walgreen's would invite into the community.

#### **REBUTTAL**

Andy Guerrero, 3134 Renker, representing the applicant, stated the "C-3" zoning would allow more flexibility in uses to in the future development more business along 1604 and Military Drive West. He further stated they have met with the representatives of the neighborhood association and have presented the deed restrictions and are in agreement. He feels this development is suitable for this area.

Todd Sang, Traffic Engineering, stated the traffic impact analysis was arranged for over 400 trips generated by Walgreen's. He stated they are basing these trips with all three properties adjacent to the proposed Walgreen's.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Villages of Westcreek Owners 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.

**Z2004056**

**COMMISSION ACTION**

The motion was made by Commissioner Peel and seconded by Commissioner Grau to recommend approval.

1. Property is located on 4.28 acres out of NCB 34400 at the northwest corner of West Loop 1604 North and West Military Drive
2. There were 7 notices mailed, 0 returned in opposition and 3 in favor.
3. Staff recommends approval.

**AYES: Martinez, Grau, Dutmer, Dixon, Sherrill, McAden, Avila, Stribling, Peel**

**NAYS: None**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.