

CASE NO: Z2004113

Staff and Zoning Commission Recommendation - City Council

Zoning Commission: Continuance from May 18, 2004
City Council: Continuance from June 24, 2004

Date: July 22, 2004

Zoning Commission Meeting Date: June 01, 2004

Council District: 1

Ferguson Map: 582 C5

Appeal: Yes

Applicant:

Jerry Arredondo

Owner:

Facundo and Bertha Arizpe Revocable Living Trust

Zoning Request: From R-4 Residential Single-Family District to NC Neighborhood Commercial District

Lot 53, Block 17, NCB 9220

Property Location: 571 Wildwood

Northeast corner of Blanco Road and West Wildwood

Proposal: For neighborhood retail business

Neighborhood Association: Northmoor Neighborhood Association and Edison Neighborhood Association

Neighborhood Plan: North Central Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Denial. The proposed zoning is inconsistent with the North Central Community Plan which recommends residential use for this location. The proposed zoning is an encroachment into an established residential neighborhood. The Master Plan calls for preservation of residential housing stock. The property dimensions are not feasible for commercial development.

Zoning Commission Recommendation:

Denial

VOTE

FOR 5

AGAINST 3

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Fred Kaiser 207-7942

Zoning Case No

Fred P. Kaiser Jr

From: John Jacks
Sent: Monday, May 10, 2004 4:05 PM
To: Fred P. Kaiser Jr
Subject: FW: Zoning Case Review Form Wildwood
Importance: High

-----Original Message-----

From: Nina Nixon-Mendez
Sent: Thursday, May 06, 2004 8:17 AM
To: John Jacks
Cc: Andrew Spurgin
Subject: Zoning Case Review Form Wildwood
Importance: High

Zoning Case No. Z2004113

Existing Zoning R-4 **Requested Zoning** NC

Registered Neighborhood Association(s) & Contact Information: (to be verified by case manager)

Date Neighborhood Association(s) Notified by U.S. Mail: _____ (to be completed by Case Manager)

Neighborhood/Community/Perimeter Plan: North Central

Date Planning Team Notified by U.S. Mail: _____ (to be completed by Case Manager)

Future Land Use for the site:

Neighborhood Commercial is not a compatible use to this area.

This area is designated for residential use by the North Central Community Plan.

Other Comments:

Analysis:

_____ Request conforms to Land Use Plan XX Request does not conform to Land Use Plan

Staff Recommendation:

_____ Supports _____ Alternate Recommendation XX Recommends Denial

Rozanna M. Mendoza

Planner II

5/11/2004

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ZONING CASE NO. Z2004113 – May 18, 2004

Applicant: Jerry Arredondo

Zoning Request: "R-4" Residential Single Family District to "NC" Neighborhood Commercial District.

Jerry Arredondo, 9901 IH 10 W., representing the owner, stated he would like to request a two-week continuance until June 1, 2004. He stated they would be meeting with the neighborhood association Wednesday, May 19, 2004 at 6:30 to further discuss their proposal.

OPPOSE

Sylvia Bustos, 806 W. Wildwood, stated she is not in opposition nor in favor of this request however she would more clarification as to what will be develop and how if any may this operation affect her property values.

REBUTTAL

Jerry Arredondo, 9901 IH 10 W., stated they would be meeting with the surrounding neighbors to present their case and would address any concerns they may have. He further stated there is not intend use yet.

Staff stated there were 26 notices mailed out to the surrounding property owners, 2 returned in opposition and 4 returned in favor and no response from Northmoor and Edison Neighborhood Association.

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 Kissling and seconded by Commissioner Dutmer to recommend a continuance until June 1, 2004.

1. Property is located on Lot 53, Block 17, NCB 9220 at 571 Wildwood.
2. There were 26 notices mailed, 2 returned in opposition and 4 in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z200113 – June 1, 2004

Applicant: Jerry Arredondo

Zoning Request: "R-4" Residential Single-Family District to "NC" Neighborhood
Commercial District.

Jerry Arredondo, 9901 IH 10 West, representing the owner, stated he would like amend his request to "NC" NA. He further stated they are proposing retail uses however they would keep the residential character of the structure. He stated they have also agreed to provide a landscape buffer along the residential uses that abut the subject property.

John Jacks, Senior Planner stated the "NA" designation is not allowed with an "NC" zoning use.

FAVOR

Esther Deleon, 715 Westwood, representing Edison Neighborhoods Association, stated they met with Mr. Arredondo on May 19, 2004 to discuss his proposal. He further stated they feel this would make the area more attractive and attract more businesses into this area.

Staff stated there were 26 notices mailed out to the surrounding property owners, 4 returned in opposition and 5 returned in favor and no response from Northmoor and Edison Neighborhood Association and letters received from Edison Neighborhood Association expressing their support and one call was received stating their 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 Kissling and seconded by Commissioner Dixon to recommend a continuance until June 15, 2004.

AYES: Kissling, Dutmer, Dixon, McAden, Peel

NAYS: Martinez, Grau, Stribling

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THE MOTION FAILED

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Kissling and seconded by Commissioner Dutmer to find consistency of the neighborhood plan.

AYES: Martinez, Kissling, Dutmer, Dixon, Stribling, Peel

NAYS: Grau, McAden

THE MOTION CARRIED

RECOMMENDATION ON ZONING CASE REQUEST.

COMMISSION ACTION

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

AYES: Martinez, Kissling, Dutmer, Dixon

NAYS: Grau, McAden, Stribling, Peel

THE MOTION FAILED

COMMISSION ACTION

The motion was made by Commissioner Dutmer and seconded by Commissioner Dixon to recommend a continuance.

1. Property is located on Lot 53, Block 17, NCB 9220 at 571 Wildwood.
2. There were 26 notices mailed, 4 returned in opposition and 5 in favor.
3. Staff recommends denial.

AYES: Martinez, Kissling, Dutmer, Dixon, Peel

NAYS: Grau, McAden, Stribling

THE MOTION FAILED

THIS CASE WAS FORWARDED TO CITY COUNCIL AS A DENIAL

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RESULTS OF COUNCIL HEARING June 24, 2004

City Council granted a continuance until July 22, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.