

CASE NO: Z2004144

Staff and Zoning Commission Recommendation - City Council

Continued from July 6, 2004

Date: September 09, 2004

Zoning Commission Meeting Date: August 17, 2004

Council District: 7

Ferguson Map: 579 B1

Appeal: No

Applicant:	<u>Owner:</u>
Andrew E. Crain	Andrew E. Crain

Zoning Request: From "C-2" Commercial District to "R-5" Residential Single-family District

Lot 3, Block 1, NCB 18312

Property Location: Southeast corner of Mainland Drive and Northfork Drive

Proposal: To construct single-family residential homes.

Neighborhood Association: Northwest Park Home Owners Association

Neighborhood Plan: Northwest Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Consistent. The Northwest Community Plan indicates low density residential (Single-Family) use at this location.

Approval. Single-family residential development is appropriate at this 12.069 acre location. Single-family homes and zoning completely surround the subject property. The request is an more appropriate than the existing C-2 zoning.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Fred Kaiser 207-7942

<u>VOTE</u>	
FOR	9
AGAINST	0
ABSTAIN	1
RECUSAL	0

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ZONING CASE NO. Z2004144 – July 6, 2004

Applicant: Andrew E. Crain

Zoning Request: "C-2" Commercial District to "RM-4" Residential Mixed District.

Cecilia Garcia, 15 Gran Burg Pl., representing the applicant, stated she would like to request a continuance to present her proposal to the surrounding property owners. She further stated they are also currently working on amending the neighborhood plan. Therefore she would like to request a continuance until August 17, 2004.

FAVOR

Paul Bishop, 131 Westwood Way, stated he is the developer of this property. He stated the purpose of the continuance is to have time to work on amending the neighborhood plan as well as meeting with the Home Owners Association to further discuss their proposal and address any concerns they may have. He further stated there would not be and tree removal with this project. Their intent is to save every tree they possibly can.

OPPOSE

Janice Spielberger, 7902 Highland Park, President of Parklands Association, stated they did not receive and type of notification of this project. She stated they are not in support of this request. She stated they are in support of new development and would support an "R-6" or "R-4" zoning request however they are concerned how these duplexes and fourplexes may affect their property values. She also expressed concerns with the increase in traffic this project may invite into the community.

Dolores Ueckert, 8806 Sarasota Woods, stated she does not support this request. She expressed concerns with how this may affect their property values.

Ralph Meneses, 907 Highland Park, stated he also did not received notification of this proposed zoning change. He stated he would like to express his concerns with the increase in traffic this project will bring into the neighborhood and their property values being affected. He further stated they would like to meet with the developer for more clarification of what they are proposing.

Shannon Romo, 7410 Winter Sky, stated she would like to express the same concerns with traffic and property values. She stated they have not met with the applicant/developer and would support the continuance to further discuss this project.

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REBUTTAL

Paul Bishop, stated they will be meeting with the surrounding homeowners to present their proposal and address their concerns.

Staff stated there were 87 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and no response from Northwest Park Home Owners 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 Sherrill and seconded by Commissioner McAden to recommend a continuance until August 17, 2004.

1. Property is located on Lot 3, Block 1, NCB 18312 at the southeast corner of Mainland Drive and Northfork Drive.
2. There were 87 notices mailed, 1 returned in opposition and 3 in favor.
3. Staff recommends denial.

AYES: Martinez, Grau, Kissling, Dixon, Sherrill, McAden, Avila, Stribling, Peel

NAYS: None

ABSTAIN: Dutmer

THE MOTION CARRIED

ZONING CASE NO. Z2004144 – August 17, 2004

Applicant: Andrew C. Crain

Zoning Request: "C-2" Commercial District to "RM-4" Residential Mixed District.

Paul Bishop, 131 Westwood Way, stated he has met with the homeowners associations to present his project. After addressing their concerns they have agreed to amend their request to R-5. They are proposing to develop duplexes and fourplexes.

Nina Nixon-Mendez, Planning Manager, stated if the zoning request is amended to R-5, which is consistent, a plan amendment would not be necessary.

JoAnn Sammons, 8802 Sarasota Woods, stated she has met with Mr. Bishop to discuss his proposal and is in support of the R-5 request.

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Robert Hamilton, 7322 Park West, President of Northwest Park Home Owners Association, stated he has seen Mr. Bishop's project and is support of the amendment.

Dolores Ueckerts, 8806 Sarasota, stated she is in support of this zoning request.

Staff stated there were 87 notices mailed out to the surrounding property owners, 6 returned in opposition and 22 returned in favor and Northwest Park Home Owners Association is in opposition. Staff has also received 15 emails expressing 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.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

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

**AYES: Martinez, Grau, 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 Sherrill and seconded by Commissioner McAden to recommend approval.

1. Property is located on Lot 3, Block 1, NCB 18312 at southeast corner of Mainland Drive and Northfork Drive.
2. There were 87 notices mailed, 6 returned in opposition and 22 in favor.
3. Staff recommends denial.

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

NAYS: None

ABSTAIN: Avila

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.