

ZONING CASE: Z2004-172

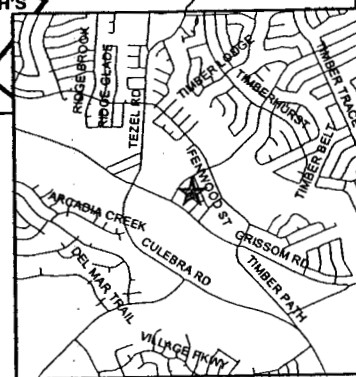
City Council District NO. 6
 Requested Zoning Change
 From: "PUD RM-4" To "R-5"
 Date: October 14, 2004
 Scale: 1" = 200'

Subject Property
 200' Notification

B-4
p.579



C:\Aug_3_2004
 (A.Z.)



CASE NO: Z2004172

Staff and Zoning Commission Recommendation - City Council

Zoning Commission Continuance from August 3, 2004

Date: October 14, 2004

Zoning Commission Meeting Date: September 07, 2004

Council District: 6

Ferguson Map: 579 B4

Appeal: No

Applicant:

Raul B. Fernandez

Owner:

Raul B. Fernandez

Zoning Request: From PUD RM-4 Planned Unit Development Residential Mixed District to R-5 Residential Single Family District

Lot P-156C, NCB15095

Property Location: Timberwilde at Wellwood

Proposal: For residential use

Neighborhood Association: None

Neighborhood Plan: Northwest Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent. The Northwest Community Plan recommends Community Commercial at this location.

Approval (assuming a plan amendment for residential use). The subject property is presently zoned for residential use (PUD RM-4). The proposed R-5 is a density decrease.

Zoning Commission Recommendation:

Approval

VOTE

FOR 11

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Fred Kaiser 207-7942

Z2004172

ZONING CASE NO. Z2004172 – August 3, 2004

Applicant: Raul B. Fernandez

Zoning Request: PUD "RM-4" Planned Unit Development Residential Mixed District to
"R-5" Residential Single Family District.

Applicant/Representatives not present.

Staff stated there were 35 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned 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.

COMMISSION ACTION

The motion was made by Commissioner Peel and seconded by Commissioner Dixon to recommend a continuance until September 7, 2004.

1. Property is located on Lots P-156 and P-156C, NCB 15095 at Timberwilde at Wellwood.
2. There were 35 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Martinez, Dixon, Sherrill, McAden, Stribling, Peel

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004172 – September 7, 2004

Applicant: Raul B. Fernandez

Zoning Request: PUD "RM-4" Planned Unit Development Residential Mixed District to
"R-5" Residential Single Family District.

Z2004172

Raul B. Fernandez, applicant, the purpose of this request is to develop 16 townhomes. He stated they have submitted a plan amendment and will be presented on Wednesday, September 8, 2004. He further stated he is withdrawing Tract 2 (P-156C) and only requesting rezoning on Tract 1 (P-156). He stated he has met with Chairman Martinez and the homeowners association who are in support of this request. He would like to request for approval contingent on the Planning Commission's approval of the plan amendment.

Staff stated there were 35 notices mailed out to the surrounding property owners, 0 returned in opposition and 28 returned 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 Peel and seconded by Commissioner McAden to find inconsistency of the neighborhood plan.

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

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Peel and seconded by Commissioner McAden to recommend approval of R-5 on tract 1 (P-156).

1. Property is located on Lots P-156 and P-156C, NCB 15095 at Timberwilde at Wellwood.
2. There were 35 notices mailed, 0 returned in opposition and 28 in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED

Z2004172

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.