

# ZONING CASE: Z2004-086

City Council District NO. 4

Requested Zoning Change

From: "NP-10" To "C-3,MF-33,R-5,R-6,PUDR-4"

Date: October 14, 2004

Scale: 1" = 800'

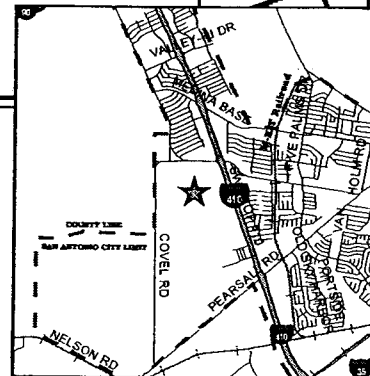
Subject Property

200' Notification

C-1  
p.551



C:\APR\_6\_2004  
(A.E.)



# CASE NO: Z2004086

## Staff and Zoning Commission Recommendation - City Council

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Zoning Commission continuance from April 20, 2004 and May 18, 2004. City Council continuance from August 12, 2004, September 9, 2004, and September 23, 2004

**Date:** October 14, 2004

**Zoning Commission Meeting Date:** June 15, 2004

**Appeal:** No

**Council District:** 4

**Ferguson Map:** 647 E7

**Applicant:** Continental Homes

**Owner:** Continental Homes

**Zoning Request:** From NP-10 Neighborhood Preservation District and C-3 General Commercial District to R-5 Residential Single-Family District on 201.97 acres; R-6 Residential Single-Family District on 66.39 acres; PUD R-4 Planned Unit Development Residential Single-Family District on 48.40 acres, MF-33 Multi-Family District on 22.06 acres, and C-3 General Commercial District on 17.77 acres out of NCB 18044

**Property Location:** LOT P-1 AND P-71, NCB 15248; LOT P-1 AND P-1D, NCB 18044

Property located at the southwest corner of the intersection of Loop 410 West and Ray Ellison Blvd

**Proposal:** To create a subdivision on approximately 355 acres that includes single-family residential, multi-family residential and commercial uses

**Neighborhood Association:** People Active in Community Efforts (PACE)

**Neighborhood Plan:** None. (United Southwest Communities Plan is in progress)

**TIA Statement:** A Level Three (3) Traffic Impact Analysis is required

### Staff Recommendation:

Approval.

The proposed zoning scenario integrates a variety of residential styles and may promote a more sustainable neighborhood by providing a mix of residential and commercial uses to accommodate a range of service, shopping, and housing needs. The proximity to the Covell Gardens Landfill should be mitigated by the presence of a 250 acre buffer around the perimeter of the landfill. The portion of the landfill closest to the proposed development has been capped and any expansion will occur westward. Ray Ellison is a major arterial and should adequately accommodate commercial trucks and local traffic as to be determined by the traffic impact analysis (TIA).

### Zoning Commission Recommendation:

Approval

**CASE MANAGER :** Trish Wallace 207-0215

### VOTE

<b>FOR</b>	8
<b>AGAINST</b>	0
<b>ABSTAIN</b>	0
<b>RECUSAL</b>	1

**ZONING CASE NO. Z2004086** – April 20, 2004

Applicant: Continental Homes

Zoning Request: "NP-10" Neighborhood Preservation District and "C-3" General Commercial District to "R-4" Residential Single-Family District on 264.53 acres, PUD "R-4" Planned Unit Development Residential Single-Family District on 28.10 acres, "MF-33" Multi-Family District on 45.3 acres, and "C-3" General Commercial District on 17.77 acres out of NCB 18044

Paul Denham, 12961 Park Central, representing the applicant, stated they are proposing to develop between 800 to 1000 homes on the 400 acres tract of land. He stated they have met with the Council staff to present their proposal. He also stated there was no neighborhood association identified city staff.

Jim Meyers, President of PACE (People Active in Community Efforts), stated he support growth however he has met with Mr. Denham to discuss his proposal. He would like this case be continued for 30 days to have time to meet with Mr. Denham to further discuss this development.

Paul Denham, 12961 Park Central, representing the applicant, stated he agrees to a continuance to meet with Mr. Meyers and the surrounding property owners to discuss this development and address any concerns or issues they may have.

Staff stated there were 13 notices mailed out to the surrounding property owners, 3 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 Avila and seconded by Commissioner Dutmer to recommend a continuance until May 18, 2004.

1. Property is located on P-1, P-71, NCB 15248 and P1, P1-D, NCB 18044 at Loop 410(east), Ray Ellison Boulevard (north) and Covell Road (west).
2. There were 13 notices mailed, 3 returned in opposition and 0 in favor.
3. Staff recommends approval.

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

**NAYS:** None

**Z2004086**

**THE MOTION CARRIED.**

**ZONING CASE NO. Z2004086** – May 18, 2004

Applicant: Continental Homes

Zoning Request: "NP-10" Neighborhood Preservation District and "C-3" General Commercial District to "R-4" Residential Single Family District on 264.53 acres, "R-4" PUD Residential Single Family Planned Unit Development on 28.10 acres, "MF-33" Multi-Family District on 45.3 acres and "C-3" General Commercial District on 17.77 acres out of NCB 18044.

Applicant/Representative not present.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and People Active in Community Efforts (PACE) are 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.

**COMMISSION ACTION**

The motion was made by Commissioner Avila and seconded by Commissioner Dixon to recommend a continuance until June 15, 2004.

1. Property generally bound by Loop 410 (east), Ray Ellison Boulevard (north), and Covell Road (west).
2. There were 13 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

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

**NAYS: None**

**ABSTAIN: Martinez**

**THE MOTION CARRIED**

**ZONING CASE NO. Z2004086** – June 15, 2004

Applicant: Continental Homes

Zoning Request: "NP-10" Neighborhood Preservation District and "C-3" General Commercial District to "R-4" Residential Single Family District on 264.53 acres, PUD "R-4" Planned Unit Development Residential Single Family District on 28.10 acres, MF-33 Multi-Family District on 45.3 acres and "C-3" General Commercial District on 17.77 acres out of NCB 18044.

**Chairman Martinez was recused from this case.**

Patricia Wallace, Case Manager stated the applicant as amended their request to read as follows: "NP-10" Neighborhood Preservation District and "C-3" General Commercial District to "R-6" Residential Single Family District on 66.39 acres, "R-5" Residential Single Family District on 201.97 acres, PUD "R-4" Planned Unit Development Residential Single Family District on 48.4 acres, MF-33 Multi-Family District on 22.06 acres and "C-3" General Commercial District on 17.77 acres out of NCB 18044.

Paul Denham, 12961 Park Central, engineer of this project, stated they have with member of PACE members, Commissioner and Councilman to present their proposal. He stated they are proposing to develop a subdivision on the subject property that includes single family and multi family residential homes and some commercial uses.

Staff stated there were 13 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor and People Active in Community Efforts (PACE) 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.

#### **COMMISSION ACTION**

The motion was made by Commissioner Avila and seconded by Commissioner Dutmer to recommend approval as amended.

1. Property is located at the southwest corner of the intersection of Loop 410 West and Ray Ellison Boulevard.
2. There were 13 notices mailed, 2 returned in opposition and 0 in favor.
3. Staff recommends approval.

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

**NAYS:** None

**RECUSED:** Martinez

**THE MOTION CARRIED**

**Z2004086**

RESULTS OF COUNCIL HEARING August 12, 2004

City Council granted a continuance until September 9, 2004

RESULTS OF COUNCIL HEARING September 9, 2004

City Council granted a continuance until September 23, 2004

RESULTS OF COUNCIL HEARING September 23, 2004

City Council granted a continuance until October 14, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.