



# CASE NO: Z2004179

## Staff and Zoning Commission Recommendation - City Council

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**Date:** December 09, 2004

**Zoning Commission Meeting Date:** October 05, 2004

**Appeal:** No

**Council District:** 3

**Ferguson Map:** 681 E5 and E6

**Applicant:** Earl & Associates, P. C.

**Owner:** Hunters Pond, L. L. P.

**Zoning Request:** From R-4 Residential Single-Family District, R-20 Residential Single-Family District, and MI-1 Mixed Light Industrial District to UD Urban Development District

**Property Location:** 92.4 acres out of CB 4286, 4286B and 4005

Property generally located west of South Zarzamora Street and south of Loop 410 South

**Proposal:** To develop a single-family residential neighborhood

**Neighborhood Association:** None

**Neighborhood Plan:** Southside Initiative Community Plan

**TIA Statement:** A Level 2 Traffic Impact Analysis has been submitted. The developer shall provide a public road within development. A right turn deceleration lane shall be constructed from southbound Zarzamora toward development and a right turn deceleration lane is recommended from Loop 410 Frontage Road.

**Staff Recommendation:**

Inconsistent.

The subject property consists of two land use categories. The first is Urban Living and the second is Agriculture and Light Industry. UD Urban Development District is consistent with Urban Living land use category, but not with the Agriculture and Light Industry land use category. On October 27, 2004, the Planning Commission recommended approval of changing the land use plan for the 4.162 acre tract from Agriculture and Light Industry to Urban Living.

Approval contingent on Land Use Plan amendment.

The 4.162 acre tract currently zoned MI-1 with a land use category of Agriculture and Light Industry is inconsistent with the current land use plan. Should the plan amendment be approved, staff does support the rezoning of the the 4.162 acres from MI-1 to UD and the remaining 88.25 acres from R4 and R-20 to UD. The surrounding properties to the east and west are also zoned UD which would allow residential and commercial development in a compatible mixed use form.

**Zoning Commission Recommendation:**

Approval

**VOTE**

**FOR** 10

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

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

**Z2004179**

**ZONING CASE NO. Z2004179** – October 5, 2004

Applicant: Earl & Associates, P. C.

Zoning Request: “R-4” Residential Single Family District, “R-20” Residential Single Family District and “MI-1” Mixed Light Industrial District to “UD” Urban Development District.

Sherry Moiser, 111 Soledad, representing the applicant, stated she would like to amend their original application to reduce the acreage to 92.41. She stated the portion that would be excluded 7.06 acre tract, which is currently zoned Agricultural and Light Industrial District and would like to zone only 4.16 acre of that portion. They have filed an application for a Plan Amendment on September 24, 2004 and will be presented before Planning Commission on October 27, 2004. She stated they are proposing to develop a single-family residential community.

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.

**FINDING OF CONSISTENCY OF THE MASTER PLAN**

**COMMISSION ACTION**

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

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

**NAYS:** None

**THE MOTION CARRIED**

**COMMISSION ACTION**

The motion was made by Commissioner Dutmer and seconded by Commissioner Avila to recommend approval contingent approval of Plan Amendment.

**Z2004179**

1. Property is located on 95.31 acres out of CB 4286, 4286B and 4005 at the west of South Zarzamora Street and south of Loop 410 South.
2. There were 35 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends denial.

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

**NAYS: None**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.