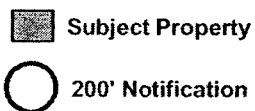


ZONING CASE: Z2004-199 A

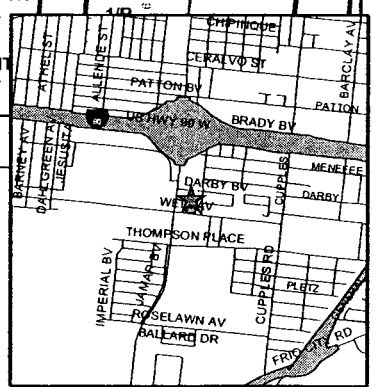
City Council District NO. 5
Requested Zoning Change
From: C-3NA To C-3
Date: November 18, 2004
Scale: 1" = 200'



C-8
p.615



C:Sept 7, 2004
(A.Z.)



CASE NO: Z2004199A

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from September 7, 2004
City Council continuance from October 14, 2004

Date: November 18, 2004

Zoning Commission Meeting Date: September 21, 2004

Council District: 5

Ferguson Map: 615 C8

Appeal: No

Applicant:

Jerry Arredondo

Owner:

4D Holdings, Ltd., Henry Davila, President

Zoning Request: From C-3NA General Commercial District, Nonalcoholic Sales to C-3 General Commercial District (0.81 acres)

0.81 acre tract of land out of NCB 14992

Property Location: 3207 Weir Avenue

On the north side of Weir Avenue between General McMullen and Aiken Street

Proposal: Restaurant

Neighborhood Association: Thompson Community Association

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Denial. The subject property is vacant and located on Weir Avenue. The subject property is adjacent to C-3 General Commercial District to the west, C-3NA S General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for a Mini-Storage Facility to the north and R-6 Residential Single-Family District to the east. The alcohol restrictions were placed on the property during a comprehensive rezoning with neighborhood input.

Zoning Commission Recommendation:

Approval

VOTE

FOR 10

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Pedro Vega 207-7980

Z2004199 S

ZONING CASE NO. Z2004199 S – September 7, 2004

Applicant: Jerry Arredondo

Zoning Request: "C-3NA" General Commercial District, Nonalcoholic Sales and "C-3R" General Commercial District, Restrictive Alcoholic Sales to "C-3" S General Commercial District with a Specific Use Authorization for a Mini-Storage Facility exceeding 2.5 acres.

Applicant/Representative not present.

OPPOSE

Frank Barrera, 3222 Hatton, stated his only concern is the removal of "NA". He stated should this storage facility move or go out of business another business would be able to operate at that location with the sales of alcohol. He stated the surrounding property owners oppose any other alcohol facility into the neighborhood.

Roberto Ramirez, stated he is in opposition of the mini storage facility. He feels the property is not big enough for this operation. He also expressed concerns with the proposed development encroaching on the surrounding residential properties. He also feels threatened by the lighting this facility would have as well as any type of paging system or alarm systems.

Staff stated there were 40 notices mailed out to the surrounding property owners, 1 returned in opposition and 7 returned in favor and no response from Thompson Community 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 Cardenas-Gamez and seconded by Commissioner Avila to recommend a continuance until September 21, 2004.

1. Property is located on 4.857 acre tract of land out of NCB 7561 and NCB 14992 at 1750 General McMullen, 3027 Weir Avenue and 3230-1 Darby.
2. There were 40 notices mailed, 1 returned in opposition and 7 in favor.
3. Staff recommends denial as requested and approval of "C-3NA".

Z2004199 S

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

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004199 S – September 21, 2004

Applicant: Jerry Arredondo

Zoning Request: "C-3NA" General Commercial, Nonalcoholic Sales District and "C-3R" General Commercial District, Restrictive Alcoholic Sales to "C-3" S General Commercial Nonalcoholic Sales District with a Specific Use Authorization for a Mini-Storage Facility exceeding 2.5 acres.

Jerry Arredondo, 9901 IH 10, representing the owner, stated the property is approximately 4 acres and is currently zoned "C-3NA" and "C-3R" on another portion. He stated he would like to amend his request to "C-3NA" on all the property except the property behind the Taco Bell. He further stated he has met with the surrounding property owners, City Council staff and Zoning Commissioner Rita Cardenas-Gamez to present his project. He stated their intent is to construct a min storage facility on the subject property.

FAVOR

Frank Barrera, 3222 Hatton Drive, stated he has met with Mr. Arredondo and other City officials to discuss this project. He stated he is now in support of this request. He feels this change would enhance the community.

Roberto Ramirez, 2519 18th Street, stated he is in support of this request. He feels this business would better serve the community than the existing nightclubs.

Staff stated there were 40 notices mailed out to the surrounding property owners, 2 returned in opposition and 10 returned in favor and Thompson Community Association 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 Cardenas-Gamez and seconded by Commissioner Avila to recommend approval.

Z2004199 S

1. Property is located on 4.857 acre tract of land out of NCB 7561 and NCB 14992 at 1750 General McMullen, 3207 Weir Avenue and 3230-1 Darby.
2. There were 40 notices mailed, 2 returned in opposition and 10 in favor.
3. Staff recommends denial as requested approval of C-3NA.

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

NAYS: None

THE MOTION CARRIED

RESULTS OF COUNCIL HEARING October 14, 2004

City Council granted a continuance until November 18, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.