



CASE NO: Z2004272 C

Staff and Zoning Commission Recommendation - City Council

Continuance from Zoning Commission December 7, 2004

Date: January 13, 2005

Zoning Commission Meeting Date: December 21, 2004

Appeal: No

Council District: 3

Ferguson Map: 684 A7

Applicant: Brown, P. C.

Owner: Pacific Logistic, L. P.

Zoning Request: From FR Farm and Ranch District to MI-1 C Mixed Light Industrial District with Conditional Use for a Cold Storage Plant

Property Location: Lots 1 through 5 and 66 through 70, Block 9; Lots 1 through 8, Block 3; and Lots 1 through 16 and North 1/2 of Lots 39 through 54, Block 8; of CB 5162
Property generally located south of Southton Road and to the east and west of Center Road

Proposal: To reflect existing cold storage plant (industrial use)

Neighborhood Association: None

Neighborhood Plan: Southside Initiative Community Plan

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

INCONSISTENT

MI-1 C is inconsistent with land use designation of Agricultural on the subject property. An amendment to Agriculture and Light Industrial was to be heard by Planning Commission on December 8, 2004 and they recommended approval.

APPROVAL PENDING LAND USE PLAN AMENDMENT

The existing use of the property is for a cold storage plant. By state law this use may continue on this property indefinitely. The majority of the surrounding property is currently undeveloped. New development coming in will have advanced knowledge of the existing light industrial use. A Type E (40 foot) vegetative buffer will be required on any new development between the subject property and adjacent properties.

Zoning Commission Recommendation:

Approval

VOTE

FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Trish Wallace 207-0215

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ZONING CASE NO. Z2004272 – December 7, 2004

Applicant: Brown, P. C.

Zoning Request: "FR" Farm and Ranch District to "MI-2" Mixed Heavy Industrial District.

Nina Nixon-Mendez, Planning Manager, stated the applicant has submitted a Plan Amendment and will be presented to Planning Commission on December 8, 2004 for consideration.

Ken Brown, 112 E. Pecan, applicant, stated they would like to amend their request to "MI-1" C. He stated the purpose of this request is to reflect the existing cold storage plant, which is industrial use. He further stated he has met with staff from the Planning Department to further discuss this request. They have also submitted a Plan Amendment, which will be presented before Planning Commission on December 8, 2004.

Harry Jewett, 2611 N. Main, they are in support of this request. He stated there is an existing cold storage plant on the subject property and feels this request is consistent with the land use.

Staff stated there were 37 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 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 Kissling to find inconsistency of the neighborhood plan.

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

NAYS: None

THE MOTION CARRIED

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COMMISSION ACTION

The motion was made by Commissioner Dutmer and seconded by Commissioner Dixon to recommend approval of "MI-1" C.

1. Property is located on Lots 1 through 5 and 66 through 70, Block 9; Lots 1 through 8, Block 3; and Lots 1 through 16 and ½ north of Lots 39 through 54, Block 8, CB 5162 located south of Southton Road and the east and west of Center Road.
2. There were 37 notices mailed, 0 returned in opposition and 5 in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004272 C – December 21, 2004

Applicant: Brown, P. C.

Zoning Request: "FR" Farm and Ranch District to "MI-1" C Mixed Light Industrial District with a Conditional Use for a Cold Storage Plant.

Ken Brown, 112 E. Pecan, representing the owner, stated the purpose of this zoning request is to reflect the existing cold storage plant.

Staff stated there were 37 notices mailed out to the surrounding property owners, 2 returned in opposition and 5 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 inconsistency of the neighborhood plan.

AYES: Robbins, Cardenas-Gamez, Dutmer, Dixon, Sherrill, McAden, Avila, Stribling, Peel

NAYS: None

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THE MOTION CARRIED

COMMISSION ACTION

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

1. Property is located on Lots 1 through 5 and 66 through 70, Block 9; Lots 1 through 8, Block 3 and Lots 1 through 16 and North ½ of Lots 39 through 54, Block 8 of CB 5162. Property is generally located out of Southton Road and to the east and west of Center Road.
2. There were 37 notices mailed, 2 returned in opposition and 5 in favor.
3. Staff recommends approval pending land use plan amendment.

AYES: Robbins, Cardenas-Gamez, Dutmer, Dixon, Sherrill, McAden, Avila, Stribling, Peel

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.