



ZONING CASE: Z2004-186 S

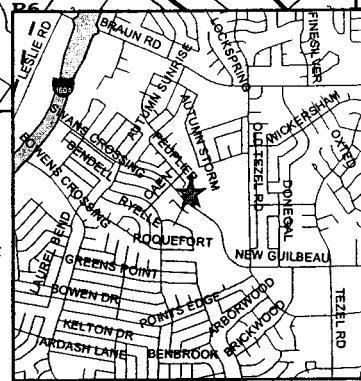
City Council District NO. 7
 Requested Zoning Change
 From: "R-6" To "RM-6 S"
 Date: January 13, 2005
 Scale: 1" = 200'

 Subject Property
 200' Notification

F-7
 p.546



C:\Aug_3_2004
 (A.Z.)



CASE NO: Z2004186 S

Staff and Zoning Commission Recommendation - City Council

City Council Continuance from December 9, 2004

Date: January 13, 2005

Zoning Commission Meeting Date: September 07, 2004

Council District: 7

Ferguson Map: 546 F7

Appeal: No

Applicant:

Wilma Lulia La Croix

Owner:

Wilma Lulia La Croix

Zoning Request: From R-6 Residential Single Family District to RM-6 S Residential Mixed District with Specific Use Authorization for a 24 Bedroom Assisted Living Facility

Lot 1, Block 8, NCB 19179

Property Location: 8900 New Guilbeau Road

On the north side of New Guilbeau Road between Caen and Braun Gate

Proposal: For an adult assisted living home

Neighborhood Association: Guilbeau Park Neighborhood Association

Neighborhood Plan: Northwest Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent. The Northwest Community Plan recommends single family residential uses at this location.

Denial. The requested zoning is not consistent with the Northwest Community Plan. The unique shape and size of the property, its location on New Guilbeau Road and the existing drainage buffer may lend itself to the proposed use. Should the plan be amended the use could be incorporated into the neighborhood with minimal impact.

Zoning Commission Recommendation:

Approval with conditions: 1. The structure shall be single story. 2. There shall be a 25-foot Type D buffer on the east portion of the property and a 30-foot Type E buffer on New Guilbeau and the northwest portion of the subject property.

VOTE

FOR	11
AGAINST	0

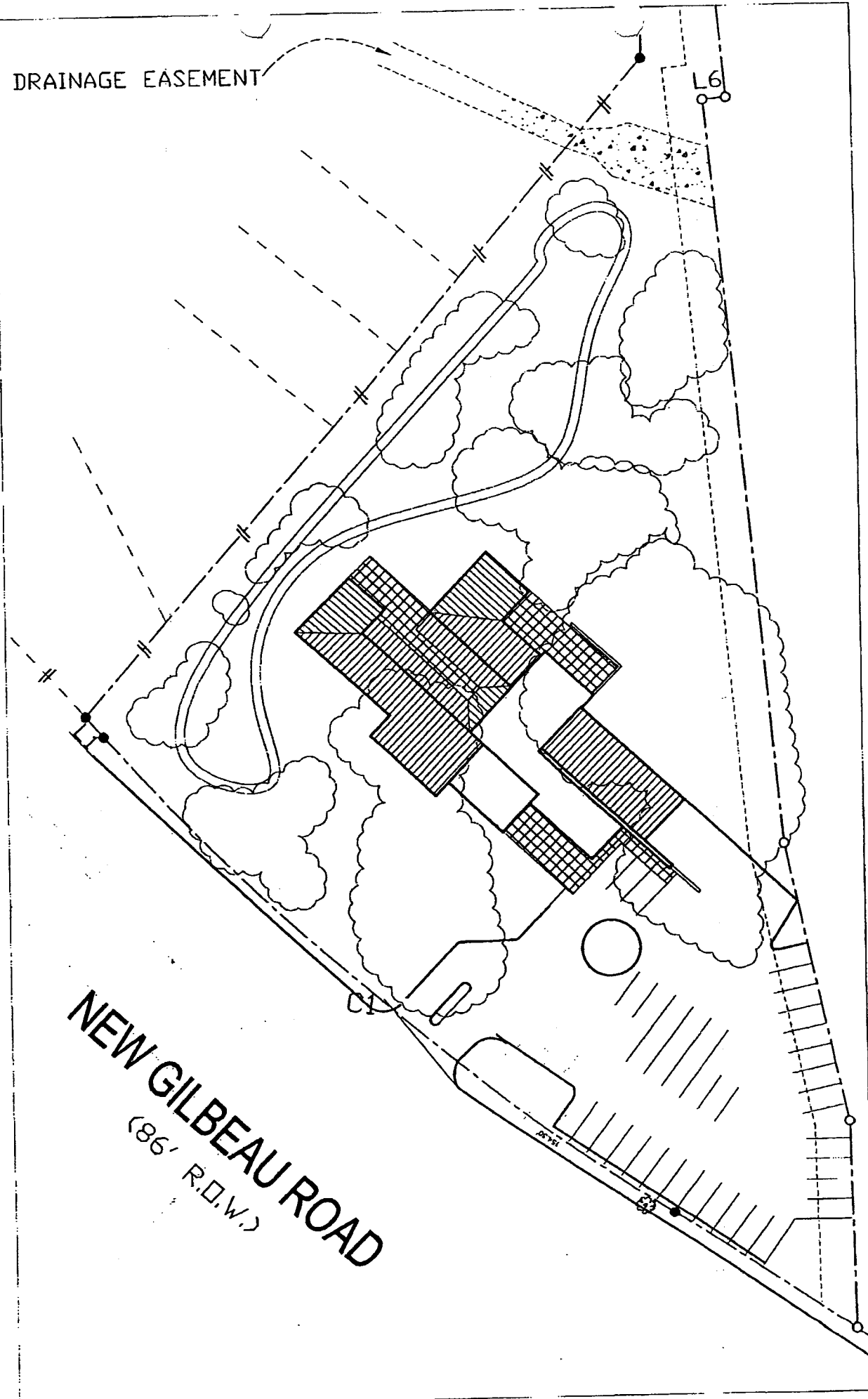
CASE MANAGER : Fred Kaiser 207-7942

ABSTAIN	0
RECUSAL	0

DRAINAGE EASEMENT

NEW GILBEAU ROAD
(86' R.O.W.)

220041865



Z2004186 S

ZONING CASE NO. Z2004186 S – September 7, 2004

Applicant: Wilma Lulia La Croix

Zoning Request: "R-6" Residential Single Family District to "RM-6" S Residential Mixed District with a Specific Use Authorization for assisted living services.

Dominic Dina, 9050 Ryelle, representing the owner, stated their intent is to operate assisted living service home on the subject property. He stated he feels this would enhance the community. He stated they would house 16 residents only. He further stated there would not make any changes that would ruin the residential character of the neighborhood.

OPPOSE

Clayton Cochran, 9422 Arbois, stated he had not received any type of notification as to the type of business/operation that would be going in to the neighborhood. He stated he was in opposition of this request but after hearing Mr. Dina's presentation he would like to change his vote to favor. He feels this operation is needed in the area.

Jerry Dugas, 8703 Braun Path, President of the Homeowners Association, stated they had not been notified of this change. He stated they are concerned that assisted living facility would house mentally ill patients or ex-prisoners. He would also like to express concerns with trees being removed for this facility.

REBUTTAL

Dominic Dina, 9050 Ryelle, representing the owner, stated they would not remove any trees. He stated they would also provide a vegetation buffer. He would also like to state his client is not licensed to house mentally ill patients only housing for the elderly.

Staff stated there were 52 notices mailed out to the surrounding property owners, 7 returned in opposition and 0 returned in favor and no response from Guilbeau Park Neighborhood 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.

Z2004186 S

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Sherrill 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

The motion was made by Commissioner Sherrill and seconded by Commissioner McAden to recommend approval with the following conditions: 1. A Single story building. 2. 25-foot Type D buffer on the east portion of the property and a 30-foot buffer Type E on New Guilbeau and the northwest portion of the subject property, contingent approval of the plan amendment.

1. Property is located on Lot 1, Block 8, NCB 19179 at 8900 New Guilbeau Road on the north side of New Guilbeau Road between Caen and Braun Gate.
2. There were 52 notices mailed, 7 returned in opposition and 0 in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED

RESULTS OF COUNCIL HEARING December 9, 2004

City Council granted a continuance until January 13, 2005

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.