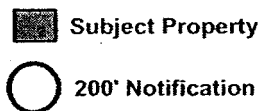


ZONING CASE: Z2005-001

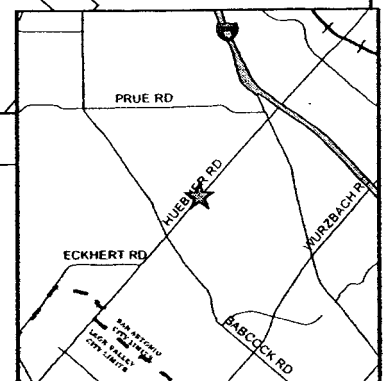
City Council District NO. 8
 Requested Zoning Change
 From: RM-4 To C-2,C-1
 Date: January 27, 2005
 Scale: 1" = 200'



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 p.548



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 (A.Z.)



CASE NO: Z2005001

Staff and Zoning Commission Recommendation - City Council

Date: January 27, 2005

Zoning Commission Meeting Date: January 04, 2005

Council District: 8

Ferguson Map: 548 D6

Appeal: No

Applicant:

Mary L. Stewart

Owner:

Mary L. Stewart

Zoning Request:

From RM-4 Residential Mixed District to C-1 Light Commercial District on the northwest 158.3 feet and C-2 General Commercial District on the southeast 220 feet

Lot 9, Block 2, NCB 14702

Property Location:

9325 Huebner Road

Across from the intersection of Huebner Road and Floyd Curl Road

Proposal:

To sell property for a commercial retail use.

Neighborhood Association:

Oakland Estates Neighborhood Association

Neighborhood Plan:

Oakland Estates Neighborhood Plan

TIA Statement:

A Traffic Impact Analysis is not required. A TIA may be required at the plat and/or the building permit level. Only one access point on Huebner will be allowed in accordance with the UDC (35-506).

Staff Recommendation:

Consistent.

The subject property is located near the Oakland/Huebner intersection and this area is identified in the Plan as a commercial node. C-1 and C-2 zoning would be appropriate in a commercial node.

Approval.

The subject property fronts on a commercial node at the intersection of Huebner Road and Floyd Curl. The property owner is requesting C-1 Light Commercial District to the northwest portion of the property and C-2 General Commercial District to the southeast portion of the property in order to provide a buffer to the residential area that backs up to the site. A Type D buffer will be required between the subject property and the residential property to the rear. This buffer requires a 25-foot buffer in addition to a fence or wall. There is also a creek located in the northwestern portion of the subject property that would limit the commercial development close to the residential area. The surrounding land uses along Huebner Road are primarily commercial. C-1 and C-2 uses would be more appropriate at this location due to the emerging commercial development along Huebner Road.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Robin Stover 207-7945

VOTE

FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2005001

ZONING CASE NO. Z2005001 – January 4, 2005

Applicant: Mary L. Stewart

Zoning Request: "RM-4" Residential Mixed District to "C-1" Light Commercial District on the northwest 158.3 feet and "C-2" General Commercial District on the southeast 220 feet.

Mike Stewart, representing the owner, stated the purpose of this zoning change is to sell the property as commercial use. The intended use is a retail strip center. He stated the surrounding uses are commercial uses and feels this request is would not have a negative affect on the neighborhood. He further stated he has been in contact with Oakland Neighborhood Association who is in support with certain conditions.

FAVOR

Sue Snyder, 5655 Lockhill Road, representing Oakland Neighborhood Association, stated they have met with Mr. Stewart along with the developer to further discuss their proposal and also discuss the drainage, indirect lighting and outdoor speakers issues are in full support of this zoning request.

Daryl Hutchinson, 5642 Encino Park Road, stated he has also met with Mr. Stewart to discuss their concerns and feels they have been address therefore he would like to express his support of this request.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Oakland Neighborhood Association is in favor with the conditions as discussed with the applicant.

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 Stribling and seconded by Commissioner Sherrill to find consistency of the neighborhood plan.

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

NAYS: None

Z2005001

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Stribling and seconded by Commissioner McAden to recommend approval.

1. Property is located on Lot 9, Block 2, NCB 14702 at 9325 Huebner Road.
2. There were 15 notices mailed, 0 returned in opposition and 11 in favor.
3. Staff recommends approval.

**AYES: Martinez, Robbins, Cardenas-Gamez, 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.