

CASE NO: Z2005009 C

Staff and Zoning Commission Recommendation - City Council

Continuance from Zoning Commission January 18, 2005 for Conditional Use.

Date: February 24, 2005

Zoning Commission Meeting Date: February 01, 2005

Council District: 3

Ferguson Map: 682 B2

Appeal: No

Applicant:

Owner:

La Obra Milagrosa Church DBA Miracle Center Church

La Obra Milagrosa Church DBA Miracle Center Church

Zoning Request: From R-4 Residential Single-Family District to R-4 C Residential Single-Family District with a Conditional Use for a Recreational Facility-Private Community Wide.

1.836 acre tract of land out of Lot 11, Block 49, NCB 11079

Property Location: 1911 Escalon Avenue

Westside of Escalon Avenue and Shemya Avenue

Proposal: Recreational Facility (Gymnasium)

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval. The subject property is located on a local residential street (Escalon Avenue) in the interior of a single-family residential neighborhood. The subject property is surrounded by R-4 Residential Single-Family Zoning and majority of the surrounding property is currently undeveloped. A drainage easement is located to the southwest. The R-4 C Residential Single-Family District with a Conditional Use for a Recreational Facility-Private Community Wide would be appropriate at this location. The Conditional Use will allow the Recreational Facility while preserving the character of the neighborhood. The site is currently undeveloped and will include the construction of the expansion to the existing church (La Obra Milagrosa Church DBA Miracle Center Church) located across the street to the northeast.

The following conditions shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the City Council: 1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure. 2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood. 3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

Requested by the applicant: 3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 10:00 p.m.

Zoning Commission Recommendation:

Approval with conditions: 1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure. 2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood. 3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 10:00 p.m.

Requested by the applicant:

CASE MANAGER : Pedro Vega 207-7980

VOTE

FOR	11
AGAINST	0

ABSTAIN	0
RECUSAL	0

Z2005009 C

ZONING CASE NO. Z2005009 – January 18, 2005

Applicant: La Obra Milagrosa Church DBA Miracle Center Church

Zoning Request: "R-4" Residential Single Family District to "C-2" Commercial District.

Arnie Gonzalez, 16003 Chase Hill Boulevard, representing the applicant, stated they would like to amend their request to "R-4" C as directed by staff. He stated their intent is to operate a recreational facility (Gymnasium). He stated this gymnasium has been in operation for many years now. He further stated there would be not additional structures added to the existing building.

Eddie Madel, 23161 Mathis Road, stated they have been in operation since 1980. He stated they have no intentions of using the facility for any other use.

Staff stated there were 19 notices mailed out to the surrounding property owners, 2 returned in opposition and 3 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.

COMMISSION ACTION

The motion was made by Commissioner Dutmer and seconded by Commissioner Avila to recommend approval of "R-4" C with Conditional Use for a recreational facility with the following conditions: 1. There shall be no exterior display or sign with the exception that a nameplate not exceeding three (3) square feet in area, may be permitted with attached to the front of the main structure; 2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood; 3. Business or office hours of operation shall not be permitted before 7am or after 10 pm.

1. Property is located on 1.836 acre tract of land out of Lot 11, Block 49, NCB 11079 at 1911 Escalon Avenue.
2. There were 19 notices mailed, 2 returned in opposition and 3 in favor.
3. Staff recommends denial of "C-2" and approval of "R-4" C with Conditional Use for a recreational facility-Private Community Wide.

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

NAYS: None

THE MOTION CARRIED

Z2005009 C

ZONING CASE NO. Z2005009 C – February 1, 2005

Applicant: La Obra Milagrosa Church DBA Miracle Center Church

Zoning Request: "R-4" Residential Single Family District to "R-4" C Residential Single Family District with a Conditional Use for a Recreational Facility-Private Community Wide.

Eddie Madel, 23161 Mathis Road, applicant, stated they are requesting this change in zoning to allow for a recreational facility on the subject property. He further stated they are in agreement with staff's recommendations.

Staff stated there were 19 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor and no response from Beacon Hill 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.

COMMISSION ACTION

The motion was made by Commissioner Dutmer and seconded by Commissioner Avila to recommend approval of "R-4" C with Conditional Use for a recreational facility with the following conditions: 1. There shall be no exterior display or sign with the exception that a nameplate not exceeding three (3) square feet in area, may be permitted with attached to the front of the main structure; 2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood; 3. Business or office hours of operation shall not be permitted before 7am or after 10 pm.

1. Property is located on 1.836 acre tract of land out of Lot 11, Block 49, NCB 11079 at 1911 Escalon Avenue.
2. There were 19 notices mailed, 2 returned in opposition and 3 in favor.
3. Staff recommends denial of "C-2" and approval of "R-4" C with Conditional Use for a recreational facility-Private Community Wide.

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

NAYS: None

THE MOTION CARRIED

Z2005009 C

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.