

CASE NO: Z2004263

Staff and Zoning Commission Recommendation - City Council

Date: March 10, 2005

Zoning Commission Meeting Date: December 07, 2004

Council District: 7

Ferguson Map: 614 C1

Appeal: No

Applicant:

Rogelio De La Torre

Owner:

Rogelio De La Torre

Zoning Request: From MF-33 Multi-Family District to C-2 NA Commercial Nonalcoholic Sales District

0.74 acres out of NCB 13519

Property Location: 1500 Callaghan Road

Proposal: To develop a restaurant.

Neighborhood Association: Culebra Park Neighborhood Association

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis (TIA) is not required. A TIA may be required at plat or building permit stage.

Staff Recommendation:

Denial of C-2 Commercial District and approval of C-1 Commercial District.

The subject property is vacant and is located between a self-service car wash and a strip center development. Established residential properties are located across the street from the subject property. The properties located behind the subject property have a privacy fence serving as a buffer between the residential area and the commercial areas fronting Callaghan Road. C-2 does not require a buffer and allows for more intense uses. C-1 would be more appropriate in this area. C-1 uses at this site would be more compatible with the neighboring commercial uses along Callaghan Road as opposed to MF-33 Multi-Family Residential.

Zoning Commission Recommendation:

Approval of C-2 NA Commercial Nonalcoholic Sales District

VOTE

FOR 6

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Robin Stover 207-7945

Z2004263

ZONING CASE NO. Z2004263 – December 7, 2004

Applicant: Rogelio De La Torre

Zoning Request: "MF-33" Multi-Family District to "C-2" Commercial District.

Luis Ortega, 6907 Forest Crest, representing the applicant, stated they are requesting this change in zoning to operate a restaurant on the subject property. He stated the surrounding uses are commercial and feels this request would be consistent.

Staff stated there were 27 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and no response from Thunderbird Hills Neighborhood Association. Culebra Park Neighborhood Association is in opposition of "C-2" however they support "C-2NA".

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 Sherrill and seconded by Commissioner Stribling to recommend approval of "C-2NA".

1. Property is located on 0.74 acres out of NCB 13519 at 1500 Callaghan Road.
2. There were 27 notices mailed, 1 returned in opposition and 2 in favor.
3. Staff recommends denial of "C-2" and approval of "C-1".

AYES: Martinez, Dutmer, Dixon, Sherrill, Stribling, Peel

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.