



ZONING CASE: Z2005-032 C

City Council District NO. 2
 Requested Zoning Change
 From: RM-4 To RM-4 C
 Date: March 24, 2005
 Scale: 1" = 200'

Subject Property
 200' Notification



C:\Mar_1_2005



CASE NO: Z2005032 C

Staff and Zoning Commission Recommendation - City Council

Date: March 24, 2005

Zoning Commission Meeting Date: March 01, 2005

Council District: 2

Ferguson Map: 617 B8

Appeal: No

Applicant:

Owner:

Julieta Muniz

Julieta Muniz

Zoning Request: From RM-4 Residential Mixed District to RM-4 C Residential Mixed District with a Conditional Use for a Beauty Shop

Lot 7 through 10, Block 45, NCB 1624

Property Location: 138 Porter Street

Close to the intersection of Porter Street and Piedmont Avenue

Proposal: To construct a beauty shop with 3 chairs

Neighborhood Association: Denver Heights Neighborhood Association

Neighborhood Plan: Arena District/Eastside Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required. Sufficient amount of parking must be provided based on the requirements in the UDC.

Staff Recommendation:

Consistent

The base zoning is consistent with the Arena District/Eastside Neighborhood Plan which calls for Medium Density, Single-family, and Mixed Residential land use at this location.

Approval

The subject property is currently vacant. The property is surrounded by residential properties to the west, south, and east. Commercial properties are located to the north. The Master Plan calls for infill development on vacant lots. The applicant is requesting a conditional use for a beauty shop with 3 chairs. Under the given conditions, the use would be compatible with the adjacent land uses.

Staff's recommended conditions:

1. Parking shall be located in the rear of the structure
2. 6' privacy fence shall be erected on sides adjacent to residential uses.
3. Signage shall not be illuminated.
4. A Type B buffer shall be required adjacent to residential uses.

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.

Zoning Commission Recommendation:

VOTE

Approval with Staff Conditions

FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Robin Stover 207-7945

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ZONING CASE NO. Z2005032 C -- March 1, 2005

Applicant: Julieta Muniz

Zoning Request: "RM-4" Residential Mixed District to "RM-4" C Residential Mixed District with a Conditional Use for a Beauty Shop.

Julieta Muniz, 229 Delaware, owner, stated she is requesting this change in zoning to allow for a beauty shop. She stated she is in agreement with staff recommendation and agreeable to amending her hours of operation from 9am to 7pm to 7am to 6pm.

Staff stated there were 27 notices mailed out to the surrounding property owners, 4 returned in opposition and 3 returned in favor and no response from Denver Heights 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.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Dixon and seconded by Commissioner Avila to find consistency with the neighborhood plan.

(A verbal vote was taken)

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

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

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

1. Property is located on Lot 7 through 10, Block 45, NCB 1624 at 138 Porter Street.
2. There were 27 notices mailed, 4 returned in opposition and 3 in favor.
3. Staff recommends approval.

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

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.