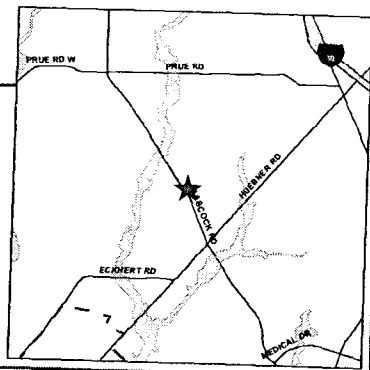


# **ZONING CASE: Z2005-046 C**

City Council District NO. 8  
 Requested Zoning Change  
 From: R-6 To R-6 C  
 Date: May 12, 2005  
 Scale: 1" = 200'

- Subject Property
- 200' Notification



C:\Apr. 5\_2005

# CASE NO: Z2005046 C

## Staff and Zoning Commission Recommendation - City Council

**Date:** May 12, 2005

**Zoning Commission Meeting Date:** April 19, 2005

**Council District:** 8

**Ferguson Map:** 548 C6

**Appeal:** No

**Applicant:**

Padmasiri Somawardana

**Owner:**

Padmasiri Somawardana

**Zoning Request:** From R-6 Residential Single-Family District to R-6 C Residential Single-Family District with a Conditional Use for a Courier Service

Lot 13, Block 1, NCB 14701

**Property Location:** 5975 Babcock Road

Northeast side Babcock Road

**Proposal:** Courier Service

**Neighborhood Association:** Oakland Estates Neighborhood Association, Alamo Farmsteads/Babcock Road Neighborhood Association (Within 200 feet) and Pembroke Farms Home Owners Association (Within 200 feet)

**Neighborhood Plan:** Oakland Estates Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis is not required

**Staff Recommendation:**

Consistent.

The Oakland Estates Neighborhood Plan identifies this site as Residential.

**Approval**

The subject property has an existing single-family home and is located on Babcock Road, a major thoroughfare. The subject property is adjacent to R-6 Residential Single-Family District to the northwest, R-20 Residential Single-Family District to the northeast, O-2 Office District to the southeast and RE Residential Estate District and O-2 Office District across Babcock Road to the southwest. The R-6 C Residential Single-Family District with a Conditional Use for a Courier Service is consistent and in character with the development pattern along Babcock Road. No change is proposed to the base zoning of R-6 Residential Single-Family District.

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:**

Approval 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 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.

**VOTE**

<b>FOR</b>	10
<b>AGAINST</b>	0

**CASE MANAGER :** Pedro Vega 207-7980

<b>ABSTAIN</b>	0
<b>RECUSAL</b>	0

**Z2005046 C**

**ZONING CASE NO. Z2005046 – April 19, 2005**

Applicant: Padmasiri Somawardana

Zoning Request: "R-6" Residential Single Family District to "R-6" C Residential Single Family District with a Conditional Use for a Courier Service.

Shelly Miller, 5975 Babcock, stated their intent is to operate a courier service from the subject property. She stated they would deliver packages to and from business to business. She stated they are in agreement with staff's recommendations. She stated they would also be meeting with the neighborhood association to discuss the installation of a small business sign.

**FAVOR**

Sue Snyder, 5655 Lockhill Road, representing Oakland Neighborhood Association, stated they have met with the applicant and they are in support of this zoning change.

Staff stated there were 13 notices mailed out to the surrounding property owners, 3 returned in opposition and 2 returned in favor and Oakland Estates Neighborhood Association is in favor and there was no response from Alamo Farmsteads/Babcock Road Neighborhood Association and Pembroke Farms Home Owners 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 Stribling and seconded by Commissioner McAden to find consistency with the neighborhood plan.

(A verbal vote was taken)

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

**NAYS: None**

**THE MOTION CARRIED**

**Z2005046 C**

**COMMISSION ACTION**

The motion was made by Commissioner Stribling and seconded by Commissioner McAden to recommend approval 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 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 am or after 6:00 pm.
- 
1. Property is located on Lot 13, Block 1, NCB 14701 at 5975 Babcock Road.
  2. There were 13 notices mailed, 3 returned in opposition and 2 in favor.
  3. Staff recommends approval.

**AYES: Martinez, Robbins, 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.