

CASE NO: Z2005040 C

Staff and Zoning Commission Recommendation - City Council

Date: April 14, 2005

Zoning Commission Meeting Date: March 15, 2005

Council District: 8

Ferguson Map: 547 E4

Appeal: No

Applicant:

Noemi Smithroat, Araceli Trejo & Menetta Lopez

Owner:

Noemi Smithroat, Araceli Trejo and Menetta Lopez

Zoning Request: From R-6 Residential Single-Family District to R-6 C Residential Single-Family District with Conditional Use for a Daycare Center

Lot 1, Block 21, NCB 16810

Property Location: 7450 Prue Road

Northside of Prue Road; southeast of Old Prue Road

Proposal: Daycare Center

Neighborhood Association: Oak Bluff Neighborhood Association (within 200 feet)

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval. The subject property is vacant and located on Prue Road, a major thoroughfare. The subject property is adjacent to R-6 Residential Single-Family District to the north, east and across Pure Road to the south, R-5 Residential Single-Family District across Pure Road to the southeast. The R-6 C Residential Single Family District with Conditional Use for a Daycare Center would be appropriate at this location and will meet the needs of present and future residents of the neighborhood and community. Furthermore the subject property is large enough to accommodate a Daycare Center.

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 7:30 p.m. 4. Left turn lane for ingress and egress.

VOTE

FOR	7
AGAINST	2

CASE MANAGER : Pedro Vega 207-7980

ABSTAIN	1
RECUSAL	0

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ZONING CASE NO. Z2005040 C – March 15, 2005

Applicant: Noemi Smithroat, Araceli Trejo & Menetta Lopez

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

Steven Smithroat, 7450 Prue Road, applicant, stated he is requesting this change in zoning to allow for a daycare center on the subject property. He stated he has been in contact with the representative from San Antonio Water Systems (SAWS) and has received confirmation that this property does lie outside the recharge zone. He stated the owners are conscience of the aesthetics of the property's appearance which they will preserve approximately 65% of the trees. He stated this daycare center would also incorporate sports for the children. This structure would be approximately 8,200 square feet to service approximately 160 children. He stated he has been in contact with representatives from Oak Bluff Association, Inc., Parkwood Village Homeowner's Association and Greenboro Homes who submitted letters expressing their support.

FAVOR

Richard Hasse, 7714 Deer Bluff, representing Oak Bluff Homeowners Association, stated he has met with Mr. Smithroat and strongly support this request. He stated they believe this project would be highly preferable as oppose to residential development. He stated this area is heavily congestion with traffic and feels residential development would only add to the problem.

Michael Sanchez, 11165 Moonlit Park, stated he is in support of this project. He stated he would like to see more commercial development into this area rather than residential development.

OPPOSE

Larry Adams, 7540 Prue Road, stated he is opposition of this zoning change. He expressed concerns with the traffic problem in this area. He feels reconstruction of Prue Road should be addressed before any type of development comes into the area.

Van Perry, 7540 Prue Road, stated he is opposed to the location of the proposed daycare center for the lack of safe access. He stated this area has a major traffic problem and feels this issue should be address before any development occurs. He is also concerned for the safety of the children that would attend this daycare.

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Susan Perry, 7540 Prue Road, stated she does not feel this area is appropriate for the proposed daycare center. She stated she has lived in the area since 1992 and no improvements have been made to Prue Road. She is concerned for the safety of the children attending this facility.

Rhonda Adams, 19573 Greenham, stated since this area was annexed in 1994 there have been car accidents. She stated Prue Road needs to be reconstructed to ease the traffic congestion. She is concerned for the safety for the children attending this facility. She stated the traffic problems in this area need to be addressed.

REBUTTAL

Steven Smithroat, 7450 Prue Road, applicant, stated he is aware of the traffic problem in this area and has considered providing a left hand turn lane to enter the property to alleviate some traffic congestion. He feels the proposed project would be more appropriate rather than residential development, which would increase traffic on Prue Road.

Staff stated there were 23 notices mailed out to the surrounding property owners, 3 returned in opposition and 3 returned in favor and Oak Bluff Neighborhood Association is 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 Stribling and seconded by Commissioner Dixon 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 are, 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 7:30 pm. 4. Left turn lanes for ingress and egress.

1. Property is located on Lot 1, Block 21, NCB 16810 at 7450 Prue Road.
2. There were 23 notices mailed, 3 returned in opposition and 3 in favor.
3. Staff recommends approval.

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AYES: Martinez, Cardenas-Gamez, Kissling, Dixon, McAden, Stribling, Peel

NAYS: Dutmer, Sherrill

ABSTAIN: Avila

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.