



# CASE NO: Z2005071

## Staff and Zoning Commission Recommendation - City Council

---

**Date:** April 28, 2005

**Zoning Commission Meeting Date:** April 05, 2005

**Council District:** 2

**Ferguson Map:** 651 E1

**Appeal:** No

**Applicant:**

Brown, P. C., Attorneys at Law

**Owner:**

Saucedo, Elizondo, and Uptmore

**Zoning Request:** From MF-33 Multi-Family District, C-2 Commercial District, C-3 R Restricted Commercial District, and I-1 General Industrial District to MF-25 Multi-Family District

10.98 acres out of NCB 14059 and 2.3983 acres out of NCB 1584

**Property Location:** Intersection of Clark Avenue and Rigsby Avenue

Bound by IH 10, Clark Avenue, and Rigsby Avenue

**Proposal:** To develop a multi-family complex

**Neighborhood Association:** Sunny Slope Neighborhood Association and Highland Park Neighborhood Association

**Neighborhood Plan:** None

**TIA Statement:** A Level-1 Traffic Impact Analysis (TIA) was reviewed and is in compliance with TIA Ordinance 91700

**Staff Recommendation:**

Approval

The property is bound by IH-10, Clark Avenue, and Rigsby Avenue. There is no access from the subject property to IH-10. The intersection of Clark and Rigsby Avenues are major arterials. The property currently has an unused baseball field and is vacant. Properties to the immediate west are zoned for residential and the properties to the south are primarily commercial. The multi-family development will serve as a transition between the residential properties and the industrial zoning to the east. There is a VIA Metropolitan Transit Stop available at the intersection of Clark and Rigsby Avenues for the potential residents. This zoning change would be a down zoning from the existing commercial and industrial zoning and would result in a lower amount of traffic. The Master Plan encourages the preservation and revitalization of housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.

**Zoning Commission Recommendation:**

Approval

**VOTE**

<b>FOR</b>	8
<b>AGAINST</b>	0
<b>ABSTAIN</b>	0
<b>RECUSAL</b>	0

**CASE MANAGER :** Robin Stover 207-7945

**Z2005071**

**ZONING CASE NO. Z2005071** – April 5, 2005

Applicant: Brown, P. C., Attorneys at Law

Zoning Request: "MF-33" Multi-Family District, "C-2" Commercial District, "C-3R" Restricted Commercial District and "I-1" General Industrial District to "MF-25" Multi-Family District.

Daniel Ortiz, 112 E. Pecan, representing the owner, stated they are proposing to develop 250 units. This property would be a gated community. He feels this is an appropriate transition considering the existing zoning and the potential uses particularly to the east with is industrial.

**OPPOSE**

Sylvia Duran, stated she is concerned that this development would increase crime rate and gang activity. She would support commercial use.

**REBUTTAL**

Daniel Ortiz, 112 E. Pecan, representing the owner, stated they have agreed that this development is better alternative than the existing use, which is a vacant lot. He stated this would enhance the community.

Staff stated there were 34 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Sunny Slope and Highland Park 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 Dixon and seconded by Commissioner Kissling to recommend approval.

1. Property is located on 10.98 acres out of NCB 14059 and 2.3983 acres out of NCB 1584 at the intersection of Clark Avenue and Rigsby Avenue.
2. There were 34 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

**Z2005071**

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

**NAYS: None**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.