



CASE NO: Z2005109

Staff and Zoning Commission Recommendation - City Council

Date: August 25, 2005

Zoning Commission Meeting Date: August 02, 2005

Council District: 9

Ferguson Map: 583 C1

Applicant:

Regent Communities Partners, L. P.

Owner:

Paula Moore, John Eiler, Hart Interests, L. P. and
Douglas Hart

Zoning Request: From "R-5" Residential Single-Family District to PUD "R-5" Planned Unit
Development Residential Single-Family District

Lots 4, 5, and 6, NCB 11886

Property Location: 321, 329 and 339 East Sunset Road

West of the intersection of North New Braunfels Avenue and East Sunset
Road

Proposal: To provide flexibility for the design and development of a private residential
subdivision

**Neighborhood
Association:** Oak Park/Northwood Neighborhood Association

Neighborhood Plan: Northeast Inner Loop Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

The request conforms to the land use plan.

Approval

Currently there are three residential units located on the subject property. The properties to the north, west, and south are single-family residential units, while the properties to the east are multi-family units. PUD R-5 would serve as a transition between the multi-family development to the east and the single-family residential to the west. Higher density developments are encouraged within the 410 loop.

The requested zoning district would limit the density to 6 units per acre. The density permitted in PUD "R-5" is less than the current zoning.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Robin Stover 207-7945

VOTE

FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

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ZONING CASE NO. Z2005109 – August 2, 2005

Applicant: Regent Communities Partners, L. P.

Zoning Request: "R-5" Residential Single Family District to PUD "MF-25" Planned Unit Development Multi Family District with a limit of 10 units per acre.

Chad Kerry, 900 Isom Road, representing the applicant, stated they are still working with the neighborhood in addressing their concerns therefore he would like to request a continuance for two weeks. He stated if no agreement has been made at the end of the two-week request he will not pursue the case.

OPPOSE

Frank Guerra, 2 Court Circle, representing the neighborhood, stated they are in opposition of this request. He stated he has collected a petition with 53 signatures from the residents expressing their opposition.

Donald Hardy, 328 E. Sunset, stated he would like to express his opposition. He stated they have met repeatedly with Mr. Kerry, which he feels these meetings have been very productive. He feels Mr. Kerry's request is in appropriate for this area.

John Clamp, stated on behalf of the Oak Park/Northwood Neighborhood Association he feels there has been some miscommunication due to their president being out ill. He stated they would support the Mr. Kerry's request for a continuance to further discuss their proposal.

Jesse Perez, 215 E. Sunset, stated he does not support Mr. Kerry's proposal. He stated he would like to maintain the conservative residential character of the neighborhood. He feels the proposed development would have a negative impact on their community.

Jim Stoker, 227 E. Sunset, stated he has lived in the neighborhood for 38 years now and enjoys the large lots, big trees and unique style. He feels Mr. Kerry's proposal would ruin that character. He does not support this development.

Nicole Grant, 11 Court Circle, stated she is also in opposition of this request.

Adrian Cavallini, 216 E. Sunset, stated he recently built his home and feels Mr. Kerry's proposal would destroy the character of the neighborhood.

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William Wallace, 251 E. Sunset, stated has lived in the neighborhood for 41 years. He stated he would like to retain the large lot character. He stated Mr. Kerry's request would not be consistent with the existing character of the neighborhood therefore he would like to express his opposition of this proposal.

Louis Kissling, 219 E. Sunset, stated he would also like to express his opposition. He stated the proposed development would be an encroachment to the existing neighborhood. The density would be too high and is incompatible with the neighborhood.

Mr. John Campbell yield his time to Mr. John Clamp

John Clamp, stated Oak Park/Northwood Neighborhood Association is going under a rezoning effort for the entire neighborhood. He stated he is working with Development Services staff regarding this matter.

REBUTTAL

Chad Kerry, stated there are still several issues he feels need to be address before pursuing this request. He stated he if no agreement is reached by the two-week period he is agreeable in withdrawing his request.

Staff stated there were 37 notices mailed out to the surrounding property owners, 16 returned in opposition and 6 returned in favor and no response from Oak Park/Northwood Neighborhood Association. Staff has received 7 notices expressing their support.

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 McAden and seconded by Commissioner Kissling to recommend a continuance until August 2, 2005.

1. Property is located on Lots 4 thru 6, NCB 11886 at 321, 329 and 339 East Sunset Road.
2. There were 37 notices mailed, 16 returned in opposition and 6 in favor.
3. Staff recommends approval.

AYES: Martinez, Robbins, Rodriguez, Kissling, Farias, Dixon, McAden, Avila, Stribling, Gray

NAYS: None

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THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.