

CASE NO: Z2005253

Staff and Zoning Commission Recommendation - City Council

Date: December 15, 2005

Zoning Commission Meeting Date: November 15, 2005

Council District: 3

Ferguson Map: 651 B1

Applicant:

Owner:

Earl & Associates, P. C.

HLH Properties, L. P.

Zoning Request: From "MF-33" Multi Family District and "I-1" General Industrial District to "R-4" Residential Single-Family District

Lots 20 through 25, Block 21, NCB 3196

Property Location: West of the intersection of Elgin Avenue and Kayton Avenue

Proposal: To be developed as a single family residential community

Neighborhood Association: Sunny Slope Neighborhood Association

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is currently vacant and located west of the intersection of Elgin Avenue and Kayton Avenue. The surrounding properties contain single-family homes and a few vacant lots.

The property was originally zoned "C" Apartment District, which permitted a mixture of single-family homes and multi-family developments and "J" Commercial District, which permitted a variety of retail and service uses. The property to the north was zoned "F" Local Retail District, which permitted a variety of uses including residential, retail, and service. These districts were converted with the adoption of the 2001 UDC. The "C" Apartment District became the "MF-33" Multi-Family District, "J" Commercial District became the "I-1" General Industrial District, and the "F" Local Retail District became the "C-2" Commercial District. The homes that were already developed were "grandfathered" and remained on the properties.

The proposed change to "R-4" Single-Family Residential District would be appropriate at this location. The change in zoning would conform to the existing land use. The Master Plan Policies encourage the rezone of vacant property within neighborhoods in order to promote compatible redevelopment in use and intensity. The existing industrial and commercial districts to the north are either vacant or occupied by single-family residential homes. These zoning districts are not appropriate at this location due to the lack of vehicular traffic and the close proximity to the single-family dwellings.

Zoning Commission Recommendation:

Approval

VOTE

FOR 11

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Robin Stover 207-7945

Z2005253

ZONING CASE NO. Z2005253 -- November 15, 2005

Applicant: Earl & Associates, P.C.

Zoning Request: "MF-33" Multi-Family District and "I-1" General Industrial District to "R-4" Residential Single-Family District.

Grant Gaines, 111 Soledad, representing the owner, stated that they have been in contact with Sunny Slope Neighborhood Association and they are in support the proposed down-zoning for single family development.

Staff stated there were 42 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and no responses from the Sunny Slope 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 Farias and seconded by Commissioner Kissling to recommend approval.

1. Property is located on Lots 20 through 25, Block 21, NCB 3196 at the West of the intersection of Elgin Avenue and Kayton Avenue.
2. There were 42 notices mailed, 1 returned in opposition and 1 in favor.
3. Staff recommends approval.

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

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.