



# CASE NO: Z2005246

## Staff and Zoning Commission Recommendation - City Council

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**Date:** December 15, 2005

**Zoning Commission Meeting Date:** November 01, 2005

**Council District:** 4

**Ferguson Map:** 681 C1

**Appeal:**

**Applicant:** Owner

Albert W. Van Cleave, III

TAJI, Ltd., A Texas Limited Partnership

**Zoning Request:** From "RM-4" Residential Mixed District to "C-3R" Restrictive Commercial District

7.193 acres out of NCB 12685

**Property Location:** 8700 block of Interstate Highway 35 South near the intersection with State Highway 16

**Proposal:** To operate a new automobile dealership with service department

**Neighborhood Association:** South Southwest Neighborhood Association

**Neighborhood Plan:** None

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

**Staff Recommendation:**

Approval

The requested zoning and proposed use is compatible with the current zoning and existing uses in the immediate area along Interstate Highway 35. The balance of the property, approximately 3.8 acres, already has a "C-3R MAOZ-2" zoning designation and the "C-3" district is appropriate for the proposed use. In terms of surrounding land uses, there are other major automobile-oriented facilities in the vicinity, and commercial land uses of a regional nature are preferable to residential uses along freeways.

The portion of the subject property considered here was rezoned from "B-2" and "B-3" to "R-2" in 1983 in anticipation of developing the Loma Alta Unit 4A subdivision. However, this property, like the properties to the east, was never developed for residential use. Following the adoption of the 2001 Unified Development Code, the "R-2" district was converted to the "RM-4" Mixed Residential zoning district, which allows a variety of single and multi-family housing types with a potential density of more than 70 units. The subject property is located to the east of and just outside the "MAOZ-2" Military Airport Overlay Zone.

The applicant is requesting the "C-3" zoning district to consolidate the general commercial district zoning of the property and to develop the property as an automobile dealership and service center. This designation is consistent with the zoning of the balance of the property and the parcels to the west and one of the parcels to the north across Interstate Highway 35, the others currently having "C-2NA C" and "I-1" designations. There is a 40 foot drainage channel separating the subject property and the "R-6" subdivision to the south that provides a buffer.

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### Zoning Commission Recommendation:

Approval

**CASE MANAGER :** Matthew Taylor 207-5876

### VOTE

|         |    |
|---------|----|
| FOR     | 10 |
| AGAINST | 0  |
| ABSTAIN | 0  |
| RECUSAL | 0  |

Z2005246

**ZONING CASE NO. Z2005246 -- November 1, 2005**

Applicant: Albert W. Van Cleave, III

Zoning Request: "RM-4" Residential Mixed District to "C-3R" Restrictive Commercial District.

Albert Van Cleave, 1520 W. Hildebrand, representing the owner, stated that they propose to operate a new automobile dealership with service department. He stated that he would be amenable to a "C-3R".

Staff stated there were 29 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and no response from the South Southwest 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 Avila and seconded by Commissioner Kissling to recommend approval.

1. Property is located on 7.193 acres out of NCB 12685 at the 8700 Block of Interstate Highway 35 South near the intersection of State Highway 16.
2. There were 19 notices mailed, 0 returned in opposition and 2 in favor.
3. Staff recommends approval.

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

**NAYS:** None

**THE MOTION CARRIED.**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.