

CASE NO: Z2005240

Staff and Zoning Commission Recommendation - City Council

Date: December 15, 2005

Zoning Commission Meeting Date: November 01, 2005

Council District: 10

Ferguson Map: 552 E2

Appeal:

Applicant:

Jose Guillen

Owner:

Jose Guillen

Zoning Request: From "C-2" Commercial District to "C-3R" Restrictive Commercial District
Lot 10, Block 10, NCB 15700

Property Location: 12819 Nacogdoches Road
Nacogdoches Road between Bell Drive and Erin Boulevard

Proposal: To operate a used auto sales lot

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval

The proposed zoning and use are compatible with the existing zoning and land uses in the immediate area. A rezone of this property will complete a consistent application of the "C-3" zoning designation and commercial uses along the west side and the commercial uses along the east side of Nacogdoches Road between Bell Drive and Erin Boulevard without a significant increase in the intensity of the existing use pattern.

The subject property, Lot 10, was zoned "B-2" along with Lots 11, 12, and 13 in 1976. In 1994, Lots 11, 12 and 13 were rezoned to "B-3 R" but Lot 10 remained "B-2." All lots were developed in unison and were formerly the site of a plant nursery. Lot 11 is currently occupied by an improved building and Lots 12 and 13 have been combined and jointly serve as an improved parking area. The applicant owns all four lots and is seeking to unify the zoning and establish a used automobile sales business. There are a variety of other automobile service facilities in the immediate area including a parts store, a repair shop, and a painting and refinishing shop and other small scale sales operations. The applicant may establish his proposed use on Lots 11, 12, and 13 with their existing "C-3 R" zoning, but requires a rezone of Lot 10 in order to utilize this lot in the overall operation.

A type "C" buffer is required along the rear of the property, as the adjacent property is zoned "R-6" with an existing residential use. However, the Unified Development Code allows the placement of a solid fence in lieu of a landscape buffer.

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Zoning Commission Recommendation:

Approval

CASE MANAGER : Matthew Taylor 207-5876

VOTE

FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2005240

ZONING CASE NO. Z2005240 -- November 1, 2005

Applicant: Jose Guillen

Zoning Request: "C-2" Commercial District to "C-3R" Restrictive Commercial District.

Maria Guillen, 23114 Summersville, stated they purchase the property with the intent to operate a used auto sales lot on the subject property. She stated she does not feel this zoning change would pose a threat to the community as the surrounding uses are all commercial.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned 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 Robbins and seconded by Commissioner Marshall to recommend approval.

1. Property is located on Lot 10, Block 10, NCB 15700 at 12819 Nacogdoches Road.
2. There were 14 notices mailed, 0 returned in opposition and 4 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.