

ZONING CASE: Z2005-261

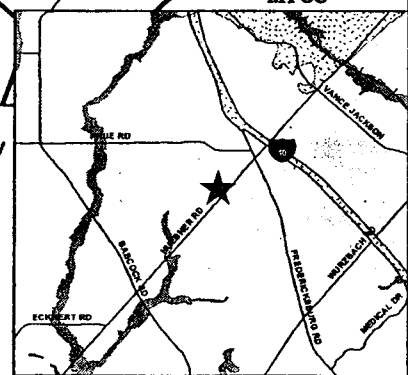
City Council District No. 8
 Requested Zoning Change
 From "R-6" and "C-2" To "MF-25"
 Date: January 12, 2006
 Scale: 1" = 200'

■ Subject Property

○ 200' Notification



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CASE NO: Z2005261

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from November 15, 2005

Date: January 12, 2006

Zoning Commission Meeting Date: December 06, 2005

Council District: 8

Ferguson Map: 548

Applicant:

Brown, P. C.

Owner:

Stanley and Ernestine Studer

Zoning Request:

From "R-6" Residential Single Family District and "C-2" Commercial District to "MF-25" Multi Family District

5.960 acres out of Block 2, NCB 14864

Property Location:

10127 Huebner Road

Northwest side Huebner Road

Proposal:

Assisted Living Facility

Neighborhood Association:

Oakland Estates Neighborhood Association

Neighborhood Plan:

Oakland Estates Community Plan

TIA Statement:

A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent.

The Oakland Estates Neighborhood Plan does not contain a land use plan, however, a consistency recommendation is still required.

The Neighborhood Plan textually notes that any rezoning for apartment uses should not be supported. Although a specific use for an assisted living or elderly housing facility may be considered an appropriate use of the property and neighborhood, the MF-25 zoning would not preclude the eventual use for an apartment use.

Approval

The subject property has an existing two story house and a two car garage with an attached apartment. The subject property is adjacent to "R-6" Residential Single-Family District to the southwest (vacant) and northeast (vacant) with "C-3" General Commercial District across Huebner Road to the southeast (Business Park). The "MF-25" Multi Family District for an Assisted Living Facility would be appropriate at this location. The subject property is near emergency facilities the South Texas Medical Center. Considering the location and acreage of the subject property, the Assisted Living Facility shall not adversely affect the surrounding neighborhood.

Multi-family Dwellings are a permitted use for any tract or parcel zoned "B-1", "B-2", or "B-2NA" prior to the adoption date of this Chapter. so long as such tract is not the subject of rezoning in accordance with the provisions of this Chapter and remain within the "C-1", "C-2", or "C-2NA" zoning districts.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Pedro Vega 207-7980

VOTE

FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

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ZONING CASE NO. Z2005261 – November 15, 2005

Applicant: Brown, P. C.

Zoning Request: "R-6" Residential Single Family District and "C-2" Commercial District to "MF-25" Multi Family District.

Ken Brown, 112 E. Pecan, representing the owner, stated they are proposing to construct a 3 story assisted living facility on the subject property. He further stated he has met with the neighborhood association twice and they have expressed some concerns with the height of the structure, therefore, he would like to request a continuance to continue working with the neighborhood association to reach an agreement.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor and no response from Oakland Estates 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 Stribling and seconded by Commissioner McAden to recommend a continuance until December 6, 2005.

1. Property is located on 5.960 acres out of Block 2, NCB 14864 at 10127 Huebner Road.
2. There were 13 notices mailed, 0 returned in opposition and 5 in favor.
3. Staff recommends approval.

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

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2005261 – December 6, 2005

Applicant: Brown, P.C.

Zoning Request: "R-6" Residential Single Family District and "C-2" Commercial District to "MF-25" Multi-Family District.

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Ken Brown, 112 E. Pecan, representing the owner, stated that they propose to development a 125 bed skilled nursing facility. He further stated that they have restrictive covenants which will provide for a 1' non-access easement to Southwest Road, they have agreed not to remove the existing home on the property and that no traditional multi-family development will occur on the property.

FAVOR

Sue Snyder, 5655 Lockhill Road, representing the Oakland Neighborhood Association, stated that they have been in negotiations with Mr. Brown and are in basic approval of this site plan.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 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.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Stribling and seconded by Commissioner Robbins to find consistency with the neighborhood plan.

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

NAYS: None

THE MOTION CARRIED.

COMMISSION ACTION

The motion was made by Commissioner Stribling and seconded by Commissioner Robbins to recommend approval.

1. Property is located on 5.960 acres out of Block 2, NCB 14864 at 10127 Huebner Road.
2. There were 13 notices mailed, 0 returned in opposition and 5 in favor.
3. Staff recommends approval.
4. Also note that there has been some discussion with the neighborhood association for non-access easement for the adjoining property and also no traditional use for multi-family development in that area.

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**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.