



# CASE NO: Z2005081

## Staff and Zoning Commission Recommendation - City Council

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Zoning Commission continuance from April 19, 2005 and May 17, 2005. Final Action on June 21, 2005

**Date:** January 26, 2006

**Zoning Commission Meeting Date:** June 21, 2005

**Council District:** 4

**Ferguson Map:** 648 B7

**Applicant:** Miam Enterprises Management, LLC

**Owner:** Miguel A. Vela

**Zoning Request:** From "NP-8" Neighborhood Preservation District to "R-6" Residential Single-Family District

**Property Location:** 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264

5834 South Sandy Valley

Property located at the northeast corner of the intersection of Ray Ellison Boulevard and Five Palms Drive

**Proposal:** To develop single family homes

**Neighborhood Association:** People Active in Community Effort (PACE)

**Neighborhood Plan:** None

**Traffic Impact Analysis:**

A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Denial.

The subject property and surrounding properties to the north and west were rezoned to NP-8 by City Council on January 11, 2001. At that time, the neighborhood spoke against R-6 zoning and in favor of NP-8 because it better reflected the lot size of existing homes in the Five Palms area. Although there is property zoned R-6 to the east and R-5 to south of the subject property, staff recommends maintaining the existing NP-8 Zoning District to promote future growth that is in character with the existing lot size north of Ray Ellison Boulevard and along Five Palms Drive.

**Zoning Commission Recommendation:**

Denial

**CASE MANAGER :** Trish Wallace 207-0215

**VOTE**

**FOR** 10

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

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**ZONING CASE NO. Z2005081** – April 19, 2005

Applicant: Miam Enterprises Management, LLC

Zoning Request: "NP-8" Neighborhood Preservation District to "R-6" Residential Single Family District.

Applicant/Representative not present.

Staff stated there were 35 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor and People Active in Community Efforts (PACE) is in opposition.

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 Dutmer to recommend a continuance May 17, 2005.

1. Property is located on 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264 at 5834 South Sandy Valley.
2. There were 35 notices mailed, 3 returned in opposition and 0 in favor.
3. Staff recommends denial.

**AYES: Martinez, Robbins, Kissling, Dutmer, Dixon, Sherrill, Avila, Stribling, Peel**  
**NAYS: None**

**THE MOTION CARRIED**

**ZONING CASE NO. Z2005081** – May 17, 2005

Applicant: Miam Enterprises Management, LLC

Zoning Request: "NP-8" Neighborhood Preservation District to "R-6" Residential Single Family District.

Applicant/Representative not present.

Staff stated there were 35 notices mailed out to the surrounding property owners, 5 returned in opposition and 1 returned in favor and People Active in Community Efforts are undecided.

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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 Dixon to recommend a continuance until June 21, 2005.

1. Property is located on 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264 at 5834 South Sandy Valley.
2. There were 35 notices mailed, 5 returned in opposition and 1 in favor.
3. Staff recommends denial.

**AYES: Martinez, Robbins, Dixon, Sherrill, McAden, Avila, Stribling, Peel**

**NAYS: None**

### **THE MOTION CARRIED**

**ZONING CASE NO. Z2005081** – June 21, 2005

Applicant: Miam Enterprises Management, LLC

Zoning Request: "NP-8" Neighborhood Preservation District to "R-6" Residential Single Family District.

Paul Garcia, 811 S. Flores, representing the owner, stated the purpose of this zoning change is to develop a single-family home on the subject property. He stated he has been in contact with a representative from PACE on March 15, 2005 and have agreed to the recommendation as requested by PACE.

1. Prices of homes to start from \$89,000 to \$115, 000.
2. Facades of homes to be with brick, stone or stucco.
3. Homes to built with garages.
4. Construct 1 to 2 story homes only.

Staff stated there were 35 notices mailed out to the surrounding property owners, 5 returned in opposition and 1 returned in favor and People Active in Community Efforts (PACE) is in opposition.

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.

**Z2005081**

**COMMISSION ACTION**

The motion was made by Commissioner Avila and seconded by Commissioner Dutmer to recommend denial.

1. Property is located on 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264 at 5834 South Sand Valley.
2. There were 35 notices mailed, 5 returned in opposition and 1 in favor.
3. Staff recommends denial.

**AYES: Martinez, Robbins, Rodriguez, Kissling, Dutmer, Sherrill, McAden, Avila, Stribling, Peel**

**NAYS: None**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.