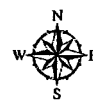


ZONING CASE: Z2006-013

City Council District No. 3
 Requested Zoning Change
 From "R-4" To "C-1"
 Date: March 9, 2006
 Scale: 1" = 200'

Subject Property

200' Notification



C:\Dec_6_2005

CASE NO: Z2006013

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from January 17, 2006

Date: March 09, 2006

Zoning Commission Meeting Date: February 07, 2006

Council District: 3 Ferguson Map: 651 E-5

Applicant: Owner

Betty Ann Kuykendall Betty Ann Kuykendall and Nicole Kallenberg

Zoning Request: From "R-4" Residential Single-Family District to "C-1" Light Commercial District

Property Location: Lot 34, Block 5, NCB 10937

879 Hot Wells

Located at the northwest corner of the intersection of Hot Wells and Clark Avenue

Proposal: For commercial development

Neighborhood Association: Highland Hills Neighborhood Association

Neighborhood Plan: Highlands Neighborhood Plan

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Inconsistent.

The Neighborhood Plan currently has a future land use designation of Public / Institutional. An amendment to Neighborhood Commercial was heard by the Planning Commission on January 25, 2006 and they recommended approval. The request will go forward to City Council on March 9, 2006.

Approval pending land use plan amendment.

The subject property is at the intersection of two major thoroughfares. Both Clark Avenue and Hot Wells are Secondary Arterials Type B. The property to the east, west, and north are all zoned commercial. C1 commercial uses are low intensity and can be compatible with nearby residential uses.

Zoning Commission Recommendation:

Approval Contingent on Plan Amendment

CASE MANAGER : Richard Ramirez 207-5018

VOTE

FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 1

Z2006013

ZONING CASE NO. Z2006013 – January 17, 2006

Applicant: Betty Ann Kuykendall

Zoning Request: "R-4" Single Family Residential District to "C-1" Light Commercial District.

Applicant/Representative not present.

Staff stated there were 14 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 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 Gray and seconded by Commissioner Sherrill to recommend a continuance until February 7, 2006.

1. Property is located Lot 34, Block 5, NCB 10937 at 479 Hot Wells.
2. There were 14 notices mailed, 1 returned in opposition and 3 in favor.
3. Staff recommends approval contingent on Plan Amendment.

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

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2006013 – February 7, 2006

Applicant: Betty Ann Kuykendall

Zoning Request: "R-4" Residential Single Family District to "C-1" Light Commercial District.

Nicole Kallenberg, 402 W. Rhapsody Dr., representing the applicant, stated they have own the property since 1970. She stated the purpose of this request is to sale the property as commercial use.

Z2006013

Staff stated there were 14 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and Highland Hills Neighborhood Association is 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 Gray and seconded by Commissioner McAden to find inconsistency with the neighborhood plan.

(A verbal vote was taken)

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

NAYS: None

RECUSED: Gadberry

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner McAden to recommend approval pending Land Use Plan Amendment.

1. Property is located on Lot 34, Block 5, NCB 10937 at 479 Hot Wells.
2. There were 14 notices mailed, 2 returned in opposition and 1 in favor.
3. Staff recommends approval Land Use Plan Amendment.

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

NAYS: None

RECUSED: Gadberry

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.