

CASE NO: Z2005285 CD

Staff and Zoning Commission Recommendation - City Council

Zoning Commission Continuance from December 20, 2005 and January 17, 2006

Date: March 09, 2006

Zoning Commission Meeting Date: February 07, 2006

Council District: 7 **Ferguson Map:** 579 E-5

Applicant: Henry Daughtry, Jr. **Owner:** Henry Daughtry, Jr.

Zoning Request: From "C-2" Commercial District and "O-2" Office District to "C-2 NA" (CD-Outdoor Storage of Boats, Vehicles, RV's) Commercial Nonalcoholic Sales District with a Conditional Use for the Outdoor Storage of Boats, Vehicles, and RV's on 12.886 acres out of NCB 15005, "C-2" Commercial District on 1.595 acres out of NCB 15005, and "C-2" (CD-Office Warehouse) Commercial District with a Conditional Use for Office Warehouse on 5.685 acres out of NCB 15005
20.166 acres out of NCB 15005 and Lot 3, NCB 18670

Property Location: 7500 Block of Grissom Road
Northwest corner of Grissom Road and Heath Road

Proposal: Open and/or covered storage of boats, recreational vehicles, automobiles, trucks, and other similar vehicles.

Neighborhood Association: Misty Oaks Neighborhood Association (within 200 feet)

Neighborhood Plan: Northwest Community Plan

Traffic Impact Analysis:

A Traffic Impact Analysis has been submitted. The 20.166-acres proposed for re-zoning is currently zoned O-2 use. The current zoning would have generated approximately 2,417 daily vehicle trips. The area re-zoned to C-2 and C-3 could generate approximately 9,429 vehicles per day, an increase of 7,012 trips. The TIA indicates that the total 35-acre property is to be developed into 12-acres mini-storage and open storage, 10-acres commercial, 7.4-acres community park and 6-acres drainage buffer. The total development on the 35-acres is projected to generate 2,004 daily vehicle trips, less than the existing O-2 zoning's projected traffic. If the proposed site were to be developed differently from the proposed storage and park, a revised Level-2 or Level-3 TIA would be required at platting.

Grissom Road at current traffic levels is not at capacity and will handle the proposed traffic from the development. The TIA Division recommends support of re-zoning with the following comments. The eastern proposed driveway on Grissom closest to Heath Road (Phase-III driveway) may not be allowed if it is placed too close to the intersection. Right turn deceleration lanes may be required to be installed on Grissom into any of the proposed driveways depending on actual development and traffic turning volumes.

Staff Recommendation:

Inconsistent

A Plan Amendment has been submitted and was heard by the Planning Commission on December 14, 2005, January 11, 2006, and January 25, 2006. The Planning Commission recommended approval of Community Commercial and Parks land uses.

Approval contingent on Plan Amendment to Community Commercial

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The subject property is currently vacant and fronts on Grissom Road, a major thoroughfare. The surrounding zoning districts consist of commercial and industrial districts. The property to the north contains established single-family homes and a park.

The property was previously zoned Temporary "R-1" and rezoned to "O-1" in 1990. The "O-1" Office District was converted to "O-2" with the adoption of the 2001 Unified Development Code (UDC).

The proposed "C-2" commercial districts would be appropriate at this location due to the surrounding land uses. The subject property is located within a commercial corridor along Grissom Road. Commercial Development is more appropriate along major thoroughfares and commercial corridors. The park to the north currently serves as a buffer between the residential district and the existing office district.

Proposed Staff Conditions:

1. A six-foot solid screen fence and a Type "C" Landscape Buffer shall be constructed and maintained along the north property line.

Zoning Commission Recommendation:

Approval contingent on the Plan Amendment

CASE MANAGER : Robin Stover 207-7945

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

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ZONING CASE NO. Z2005285 CD – December 20, 2005

Applicant: Henry Daughtry, Jr..

Zoning Request: "C-2" Commercial District and "O-2" Office District to "C-2 NA" (CD-Outdoor Storage of Boats, Vehicles, RV's) Commercial Nonalcoholic Sales District with a Conditional use for the Outdoor Storage of Boats, Vehciles, and RV's on 12.886 acres out of NCB 15005, "C-2" Commercial District on 1.595 acres out of NCB 15005, and "C-3" General Commercial District on 5.685 acres out of NCB 15005.

Gary Hill, Engineer with Civil Engineering Consultants, representing the applicant, stated that he would like to request a continuance until January 17, 2006 to allow the applicant to continue working with the Planning Department staff to try to resolve the some issues related to the community plan.

Staff stated there were 35 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from the Misty Oaks 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 Sherrill and seconded by Commissioner Robbins for a continuance until January 17, 2006.

1. Property is located on 18.627 acres out of NCB 16001 at Ray Ellison Blvd.
2. There were 35 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval contingent upon the community plan amendment.

AYES: Martinez, Robbins, Rodriguez, Sherrill, Avila, Kissling, Gray

NAYS: None

THE MOTION CARRIED

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ZONING CASE NO. Z2005285 CD – January 17, 2006

Applicant: Henry Daughtry, Jr.

Zoning Request: "C-2" Commercial District and "O-2" Office District to "C-2NA" (CD-Outdoor Storage of Boats, Vehicles, RV's) Commercial Nonalcoholic Sales District with a Conditional Use for the Outdoor Storage of Boats, Vehicles, and RV's on 12.886 acres out of NCB 15005, "C-2" Commercial District on 1.595 acres out of NCB 15005, and "C-3" General Commercial District on 5.685 acres out of NCB 15005

Alan Linkskog, 11550 IH 10 West, representing the applicant, stated he would like to request a continuance on this case as the plan amendment that was presented before Planning Commission was continued.

Staff stated there were 35 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and Misty Oaks 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.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner McAden to recommend a continuance until February 7, 2006.

1. Property is located on 20.166 acres out of NCB 15005 and Lot 3, NCB 18670 at 7500 Block of Grissom Road.
2. There were 35 notices mailed, 0 returned in opposition and 6 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

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ZONING CASE NO. Z2005285 CD – February 7, 2006

Applicant: Henry Daughtry, Jr.

Zoning Request: "C-2" Commercial District and "O-2" Office District to "C-2NA" (CD Outdoor Storage of Boats, Vehicles, RV's) Commercial Nonalcoholic Sales District with a Conditional Use for the Outdoor Storage of Boats, Vehicles and RV's on 12.886 acres out of NCB 15005, "C-2" Commercial District on 1.595 acres out of NCB 15005 and "C-3" General Commercial District on 5.685 acres out of NCB 15005.

Alan Lindskog, 11550 IH 10 W., representing the applicant, stated Planning Commission recommended approval of the plan amendment on January 25, 2006. He further stated, as part of this rezoning, the vacant portion that abuts the subject property will be used as a park and will serve as a buffer. He stated the proposed "C-2NA" portion of this request would be used for outdoor storage of boats, vehicles and RV's. He further stated he would like to amend his request for the portion of "C-3" to "C-2" CD with a conditional use for office warehouse flex space

Staff stated there were 35 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor. Misty Oaks 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

(A verbal vote was taken)

The motion was made by Commissioner Sherrill and seconded by Commissioner Marshall to find inconsistency with the neighborhood plan.

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

NAYS: None

THE MOTION CARRIED

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COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner McAden to recommend approval including the amendment of "C-3" portion to "C-2" CD with a conditional use for office warehouse flex space contingent upon approval of the community plan.

1. Property is located on 20.166 acres out of NCB 15005 and Lot 3, NCB 18670 at 7500 Block of Grissom Road.
2. There were 35 notices mailed, 0 returned in opposition and 5 in favor.
3. Staff recommends approval contingent on Plan Amendment.

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

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.