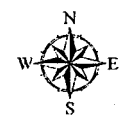


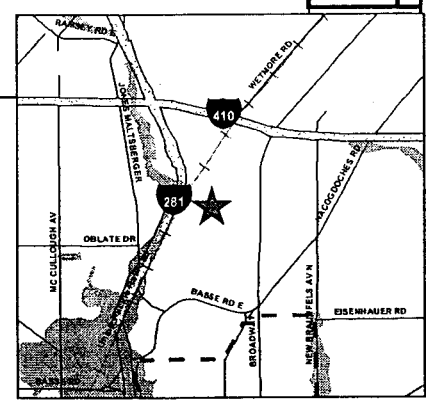
ZONING CASE: Z2006-071

City Council District No. 9
 Requested Zoning Change
 From "R-5" and "MF-33" To "C-2"
 Date: May 18, 2006
 Scale: 1" = 200'

- Subject Property
- 200' Notification



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CASE NO: Z2006071

Staff and Zoning Commission Recommendation - City Council

Date: May 18, 2006

Zoning Commission Meeting Date: April 18, 2006

Council District: 9 **Ferguson Map:** 583 B1

Applicant: Owner

Peter Markwardt Edgar and Maxine Markwardt

Zoning Request: From "R-5" Residential Single Family District and "MF-33" Multi-Family District to "C-2" Commercial District

Property Location: The West 111.7 Feet of Lot 72, the East 100 Feet of Lot 72, the West 75 Feet of Lot 73, the South 120 Feet of the East 118.3 Feet of Lot 73, and the North 100 Feet of the East 118.3 Feet of Lot 73 out of NCB 11884

1422, 1434, 1442 and 1446 E. Sandalwood Lane

Generally Located North of W. Sunset Road Between Teak Lane and Everest Avenue

Proposal: To Construct a Commercial Center

Neighborhood Association: None

Neighborhood Plan: None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The applicants have expressed a willingness to mitigate the potential negative impacts to the surrounding residential properties with restricted access and landscaping. They intend to restrict direct access onto Sandalwood, routing all customer traffic south to Sunset Road and to fence and landscape the frontage of Sandalwood. They also intend to install fencing and landscaping consistent with what is required by a Type "C" buffer along the east and west property lines. If the requested C-2 zoning were approved, Type "B" landscape buffers would be required.

The applicants are proposing the construction of two separate two-story buildings oriented to face south with footprints of about 7,000 and 13,000 square feet. The buildings will have the appearance of being one building from most viewing points and the primary use is proposed to be a furniture show room that supports an existing use owned by the applicants at 343 W. Sunset Road. The applicants own most of the commercial properties to the south that abut the subject properties, and the property with the existing furniture store was zoned B-2 in 2001, later converting to C-2, and the building dates to about 2003. The applicants are proposing to develop the subject property in a manner that supports their existing commercial use and to allow other uses permitted in the C-2 district with available tenant spaces. Some of these other uses have been identified as a restaurant or sandwich shop, coffee shop, ice cream shop, bakery, antique sales and/or offices.

The subject property includes two lots consisting of 5 undeveloped parcels and totals just under 2 acres. The easternmost 4 parcels, zoned MF-33, were zoned from A to R-3 in 1972, later converting to MF-33 in 2002 following the 2001 adoption of the Unified Development Code. The westernmost parcel, zoned R-5, converted from A in 2002. The parcels with existing MF-33 zoning could have a maximum of about 50 dwelling units should the property be developed for multi-family use and the property with existing R-5

CASE NO: Z2006071

Staff and Zoning Commission Recommendation - City Council

zoning consists of about one-half acre, permitting about 4 single-family units if developed for residential use. All vehicular traffic generated by the residential development of these properties would require direct ingress and egress to Sandalwood Lane. To the west, Sandalwood Lane ends at a large parcel with an existing home improvement center. However, there is no direct access to that property from Sandalwood Lane, as that use fronts on Sunset Road.

The existing apartment complex to the west has multi-family zoning that dates to 1968. Most of the remaining residential lots fronting on Sandalwood have single-family dwellings with construction dates ranging from the 1930's through the early 1970's. The vacant lot directly across the street at 1443 Sandalwood is currently used for vehicle storage and there is a second vacant lot at 1523 Sandalwood zoned C-3 NA SUP. This zoning dates to 1986 and was approved for an outdoor storage yard.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Matthew Taylor 207.5876

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2006071

ZONING CASE NO. Z2006071 – April 18, 2006

Applicant: Peter Markwardt

Zoning Request: "R-5" Residential Single Family District and "MF-33" Multi Family District to "C-2" Commercial District.

Peter Markwardt, 359 W. Sunset, representing the owner, stated the purpose of this request is to construct a commercial center. He stated he has been in contact with the surrounding neighbors and has collected a petition expressing their support. He further stated this project is consistent with the surrounding using and does not feel this would have a negative impact on the community.

FAVOR

Ed Markwardt, 359 W. Sunset, stated he is in support and does not see this project to negatively affect the neighborhood.

Staff stated there were 33 notices mailed out to the surrounding property owners, 1 returned in opposition and 15 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 Wright and seconded by Commissioner Marshall to recommend approval.

1. Property is located on the west 111.7 feet of Lot 72, the east 100 feet of Lot 72, the west 75 feet of Lot 73, the south 120 feet of the east 118.3 feet of Lot 73 and the north 100 feet of the east 118.3 feet of Lot 73 out of NCB 11884 at 1422, 1434, 1442 and 1446 E. Sandalwood Lane.
2. There were 33 notices mailed, 1 returned in opposition and 15 in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED

Z2006071

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing