

CASE NO: Z2006037 CD

Staff and Zoning Commission Recommendation - City Council

Date: April 13, 2006

Zoning Commission Meeting Date: March 07, 2006

Council District: 1 Ferguson Map: 616 F7

Applicant: Owner

Ellsworth & George Sullivan Ellsworth & George Sullivan

Zoning Request: From (H) "RM-4" Historic Residential-Mixed District to (H) "R-6 CD" Historic Residential Single-Family District with a Conditional use for multi-family not to exceed 3 units

Lot 17, Block 5, NCB 723

Property Location: 115 Devine Street

Generally located east of S. Presa and on the north side of Devine Street

Proposal: To allow a 3-unit condominium

Neighborhood Association: LaVaca Neighborhood Association

Neighborhood Plan: LaVaca Community Plan

Traffic Impact Analysis:

A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent.

The LaVaca Community Plan designates this property for Low Density Residential land uses. This would include single-family homes and duplexes.

Approval. Staff originally recommended denial of the zoning change. However, the applicant has provided a preliminary site plan which indicates the development of 3 units at this location is feasible. The current RM-4 zoning allows for duplexes, however, the lot size does not allow 3 units to be developed. The property is 8,032 sq ft which would allow the construction of a two-family attached unit with the current zoning. Because the lot is narrow the units will be constructed in a linear fashion maintaining the single family street-front character of the neighborhood.

(The applicant has received conceptual approval from the Historic Design and Review Commission)

Zoning Commission Recommendation

VOTE

Approval

FOR 11

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Richard Ramirez 207-5018

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ZONING CASE NO. Z2006037 CD – March 7, 2006

Applicant: Ellsworth & George Sullivan

Zoning Request: "H" "RM-4" Historic Residential Mixed District to "H" "R-6" CD
Historic Residential Single Family District with a Conditional use for
multi-family not to exceed 3 units.

Nina Nixon-Mendez, Planning Manager, stated the land use for this area is low density residential so the base zoning would be consistent with the neighborhood plan. She stated they had review the original request of "MF-25" which was inconsistent but with this zoning request it is now consistent.

Ellsworth Sullivan, 920 Ivy Ln., owner, stated he is requesting this change in zoning to allow development of 3 unit condominium on the subject property. He stated he understands any remodeling to this structure would have to be considered before Historic Commission. He stated he has been in contact with the representatives from LaVaca Neighborhood Association who support his project.

Charles Schubert, 1102 S. Alamo, Architect, stated they have prepared a preliminary plan showing the elevations, which was presented to the Historic Commission and was given a conceptional approval with the condition that the existing house on the lot be moved. This house would be relocated in the neighborhood.

FAVOR

Joan Carabin, 210 Lavaca Street, President of LaVaca Neighborhood Association, stated they are in support of this request. She feels this would not negatively effect the neighborhood.

Staff stated there were 22 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and LaVaca Neighborhood Association is in favor. Staff has also mailed out 12 notices to the Planning Team.

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.

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FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

(A verbal vote was taken)

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

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

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Martinez to recommend approval.

1. Property is located on Lot 17, Block 5, NCB 723 at 115 Devine Street.
2. There were 22 notices mailed, 1 returned in opposition and 1 in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.