

# ZONING CASE: Z2006-102

City Council District No. 3  
 Requested Zoning Change  
 From "C-3 NA"  
 To "C-2"

Date: June 1, 2006

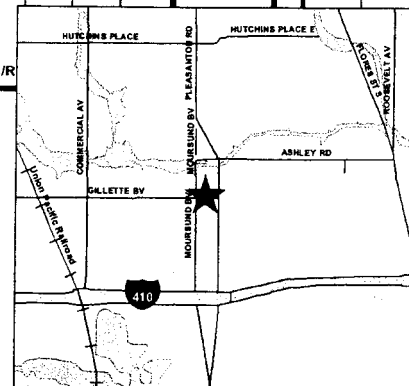
Scale: 1" = 200'

☐ Subject Property

☐ 200' Notification



C:\May\_2\_2006



# CASE NO: Z2006102

## Staff and Zoning Commission Recommendation - City Council

**Date:** June 01, 2006

**Zoning Commission Meeting Date:** May 02, 2006

**Council District:** 3

**Ferguson Map:** 682 D3

**Appeal:**

**Applicant:**

Pete Ortiz, Jr.

**Owner:**

Pete Ortiz, Jr.

**Zoning Request:** From "C-3 NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District

The Lot 149, Block 16, NCB 11115

**Property Location:** 356 Moursund Boulevard

Northeast corner of East Gillette Boulevard and Moursund Boulevard

**Proposal:** For a restaurant with on premise consumption of alcoholic beverages

**Neighborhood Association:** None

**Neighborhood Plan:** None

**TIA Statement:** A traffic impact analysis is not required.

### **Staff Recommendation:**

Approval.

The subject property is currently a vacant house on the northeast corner of Moursund Blvd. and Gillette Blvd. The property is currently classified as C-3 NA. It is directly adjacent to R-6 zoning, with MF-33 across the street to the south and C-3 NA to the west. The applicant is requesting C-2 in order to operate a restaurant with alcohol sales.

The proposed restaurant use would be appropriate at this location. However, in order to ensure that intense C-3 uses are not permitted at this location, staff requested that the applicant amend their request to C-2. The applicant amended their request on 04/11/06. This would constitute a beneficial downzoning at this intersection. Additionally, should the restaurant use cease, C-2 uses are more appropriate at this location.

The subject property was zoned to B-3 NA under the provisions of the 1965 zoning ordinance. It was subsequently zoned C-3 NA upon the adoption of the 2001 Unified Development Code.

### **Zoning Commission Recommendation:**

Approval

### **VOTE**

**FOR** 10

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

**CASE MANAGER :** Rudy Nino, Jr. 207-8389

**Z2006102**

**ZONING CASE NO. Z2006102** – May 2, 2006

Applicant: Pete Ortiz, Jr.

Zoning Request: "C-3NA" Commercial Nonalcoholic Sales District to "C-2"  
Commercial District.

Peter Siakan, 700 N. St. Mary's, representing the owner, stated the purpose of this zoning request is to allow for a restaurant with on premise consumption of alcoholic beverages.

Staff stated there were 16 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor no response from Kingsboro Ridge 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 Gadberry and seconded by Commissioner Robbins to recommend approval.

1. Property is located on Lot 149, Block 16, NCB 11115 at 356 Moursund Boulevard.
2. There were 16 notices mailed, 1 returned in opposition and 0 in favor.
3. Staff recommends approval.

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

**NAYS:** None

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.