

ZONING CASE: Z2006-104 CD

City Council District No. 7

Requested Zoning Change

From "R-6"

To "R-6" CD

Date: June 1, 2006

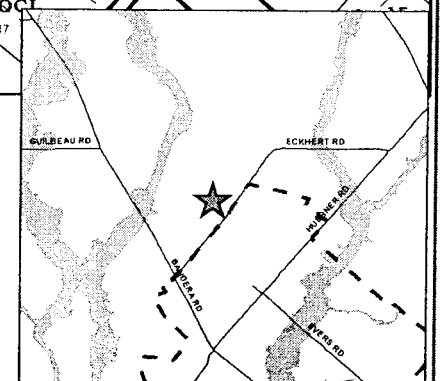
Scale: 1" = 200'

Subject Property

200' Notification



C:\Map 2 2006



CASE NO: Z2006104 CD

Staff and Zoning Commission Recommendation - City Council

Date: June 01, 2006

Zoning Commission Meeting Date: May 02, 2006

Council District: 7

Ferguson Map: 547 F8

Appeal:

Applicant:

Owner:

Trinity Construction and Developments

Paul D. Tausch

Zoning Request: From "R-6" Residential Single-Family District to "R-6" (CD-Two Dwellings Per Lot) Residential Single-Family District with a Conditional Use for Two Dwellings Per Lot

1.51 acres out of NCB 17971

Property Location: 6739 John Marshall
Intersection of John Marshall and Babe Ruth

Proposal: To Develop a Mixed Residential Community

Neighborhood Association: None

Neighborhood Plan: Huebner/Leon Creek Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

The Huebner/Leon Creek Community Plan calls for low density residential with single family dwellings. A rezone to the R-6 (CD - Multi-Family Dwellings) allowing 2 dwellings per lot and restricting the cumulative residential density to 7 units per acre does not require a plan amendment and allows consistency with the low density residential designation.

Approval

Infill development, especially those residential in nature, are encouraged in areas with existing like uses and higher densities are often preferred. The proposal, although not single family, is intended to be compatible with the density of the existing residential development in the area. The applicant is proposing 4 lots of at least 6,000 square feet with 2 units per lot.

The subject property, annexed in 1985, consists of 1.51 acres and is currently undeveloped. The existing R-6 zoning on the subject property and on most of the surrounding properties was applied through a formal rezoning action initiated by the city (Z2001196). The applicant is proposing an infill development project of 4 new lots, each having a duplex or 2 attached "garden" homes. The easternmost portion of the property is identified as a drainage easement and is undevelopable. The remaining portion of the property is large enough that the proposed number of dwellings does not exceed the density allowance of the current R-6 zoning district.

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Staff and Zoning Commission Recommendation - City Council

To the north, and to the east and west along John Marshall, are single family residences located within the Marshall Meadows subdivision, zoned R-6. Also to the east, but fronting on Eckert Road, is a mini-storage facility that also rents moving supplies. This property is zoned C-3 NA CD, having converted from B-3 NA SUP which was approved in 1993. There are properties to the south have a mix of both R-6 and MF-33 zoning with single and mult-family developments in the vicinity of Woodchase Drive and Westchase Drive.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Matthew Taylor 207-5876

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

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ZONING CASE NO. Z2006104 – May 2, 2006

Applicant: Trinity Construction and Developments

Zoning Request: "R-6" Residential Single Family District to "RM-4" Mixed Residential District.

Paul Tausch, 16027 San Gitano, owner, stated he has met with the surrounding property owners and the representative from Leon Creek Homeowners Association who are in support of this request. He stated he is proposing to develop a mixed residential community on the subject property. He further stated he is in agreement of the "R-6" C as staff has recommended.

Staff stated there were 25 notices mailed out to the surrounding property owners, 5 returned in opposition and 0 returned in favor. Staff has mailed out 11 notices to the Planning Team and staff has received an email outside 200-foot radius expressing their opposition.

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 Sherrill and seconded by Commissioner Gadberry to find consistency with the neighborhood plan.

(A verbal vote was taken.)

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

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner Gadberry to recommend approval of "R-6" CD for multi family for two dwellings per lot.

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1. Property is located on 1.51 acres out of NCB 17971 at 6739 John Marshall.
2. There were 25 notices mailed, 5 returned in opposition and 0 in favor.
3. Staff recommends denial of "RM-4" and approval of "R-6" CD.

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

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.