

..... Notices Mailed
 In Opposition
 In Favor

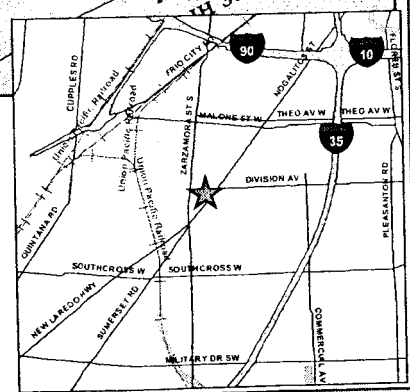
ZONING CASE: Z2006-124

City Council District No. 2
 Requested Zoning Change
 From "I-2"
 To "MF-33"
 Date: June 15, 2006
 Scale: 1" = 300'

■ Subject Property
 ○ 200' Notification



C:\June 6, 2006



CASE NO: Z2006124

Staff and Zoning Commission Recommendation - City Council

Date: June 15, 2006

Zoning Commission Meeting Date: May 16, 2006

Council District: 2

Ferguson Map: 584 B8/618 B1

Appeal:

Applicant: Owner

Brown, P.C. ARDC Binz Ltd.

Zoning Request: From "I-2" Heavy Industrial District to "MF-33" Multi-Family District
13.22 acres out of NCB 10568

Property Location: 3000 Block of Binz-Engleman Road
Binz-Engleman Road, West of IH 35 and South of Fort Sam Houston

Proposal: To Develop Multi-Family Units

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis (2006TIA0156) has been submitted and approved.

Staff Recommendation:
Approval

The proposed multi-family complex is an appropriate use for the subject property given its size and location along Binz-Engleman Road in the immediate vicinity of Fort Sam Houston. Residential infill projects, including high density residential uses, are usually encouraged, especially in those areas where there is a need for high density development. There is an existing multi-family development on the property immediately to the west and a drainage easement that provides separation between the subject property and the commercial/industrial uses to the east. Although much of the zoning in the immediate vicinity is industrial, many of the existing uses are residential and commercial in nature.

The subject property is undeveloped and was annexed into the city in September of 1952. A few years later, in 1957, this and most other properties in the immediate vicinity were zoned LL, an industrial zoning district. This district converted to the I-2 district in 1965 and remained I-2 following the 2001 adoption of the Unified Development Code. The LL district did allow multi-family uses and, since the current I-2 zoning was a direct conversion from this original district, multi-family uses would continue to be allowed provided the property owner had filed for preservation rights with the city prior to February of 2005. There is no indication this was done, so a rezone of the property to the appropriate multi-family zoning district is required to develop the property for multi-family uses.

To the west, on property zoned I-2, is a new multi-family apartment complex and further west is a contractor facility, also zoned I-2. Many of the lands further west are undevelopable due to the presence of Salado Creek and the resulting flood plain. To the east are trucking companies that front on Binz-Engleman and to the south, across Sequin Road, are hotel uses that front on I-35. All uses immediately east and south are also zoned I-2. To the north, across Binz-Engleman, is a southern boundary of Fort Sam Houston, zoned MR.

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Staff and Zoning Commission Recommendation - City Council

Should the requested MF-33 zoning be approved, a Type "F" landscape buffer will be required along the east and possibly the west property lines. This type of buffer generally requires the construction of fences, walls or berms along with vegetation. However, given the multi-family use to the west and the drainage easement to the east, a full installation of the buffer may not be required.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Matthew Taylor 207-5876

VOTE

FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z20060124

ZONING CASE NO. Z2006124 – May 16, 2006

Applicant: Brown, P. C.

Zoning Request: "I-2" Heavy Industrial District to "MF-33" Multi Family District.

Patrick Christensen, 112 E. Pecan, representing the owner, stated they are proposing to develop an apartment complex on the subject property. He stated this request is a down zoning.

OPPOSE

David Parish, 146 Rose Blossom, representing the property immediately to the east, stated they are a trucking company and are a 24, 7 operation. He is concerned with the development being built so close to an industrial use. He stated there is noise and light pollution, which would pose a threat to the residents in this proposed apartment complex.

REBUTTAL

Patrick Christensen, 112 E. Pecan, representing the owner, stated to address his concerns, there is already existing apartment units immediately to the west of this site. He stated this development would have a positive impact on the community.

Staff stated there were 16 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 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 Marshall and seconded by Commissioner Martinez to recommend approval.

1. Property is located on 13.22 acres out of NCB 10568 at 3000 Block of Binz-Engleman Road.
2. There were 16 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends approval.

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

NAYS: None

THE MOTION CARRIED

Z2006124

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.