



# CASE NO: Z2006019

## Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from February 7, 2006  
City Council continuance from April 13, 2006 and May 18, 2006  
Date: June 15, 2006

**Zoning Commission Meeting Date:** March 07, 2006

**Council District:** 7

**Ferguson Map:** 548 C6

**Applicant:**

**Owner:**

Padmasiri Somawardana

Padmasiri and Prabha Somawardana

**Zoning Request:**

From "O-2" Office District to "C-1" Light Commercial District

Lot 17, Block 2, NCB 17176

**Property Location:**

5900 Block of Babcock Road

South corner of Babcock Road and Welles Way

**Proposal:**

Small shopping center

**Neighborhood Association**

Alamo Farmsteads/Babcock Road Neighborhood Association, Oakland  
Estates Neighborhood Association (within 200 feet) and Pembroke Farms  
Home Owners Association (within 200 feet)

**Neighborhood Plan:**

Huebner/Leon Creeks Community Plan

### Traffic Impact Analysis

A Traffic Impact Analysis is not required however. The 1-acre tract is currently zoned O-2. The current zoning would have generated approximately 120 daily vehicle trips. The property is proposed to be zoned C-2. The proposed development is projected to generate 468 daily vehicle trips, an increase of 348 vehicle trips per day. The TIA division has no indication as to the development proposed on the site.

### Staff Recommendation:

Consistent

The land use is consistent with the Huebner/Leon Creeks Community Plan. The proposed uses listed in the Zoning Change Application are consistent with Huebner/Leon Creek Community Plan, however the requested zoning may allow for more intense uses in the future that could be incompatible with the existing single family residential uses adjacent to the site. Therefore an alternate zoning ("C-1" Light Commercial District) is recommended for this site to allow the applicant to develop the parcel with the uses stated in the Zoning Change Application and ensure that incompatible uses are not developed on the site in the future.

### Approval

The subject property is currently undeveloped and located on Babcock Road a major thoroughfare. The subject property is adjacent to "RM-4" Residential Mixed District to the southwest (two-family dwellings), "C-2" Commercial District to the southeast (vacant) "O-2" Office District across Welles Way to the north (Dental Office) "C-1" Light Commercial District (vacant) and "O-2" Office District across Babcock Road to the northeast (Daycare Center). "C-1" uses are considered appropriate buffers between residential uses and "C-2" and "C-3" districts and uses.

The subject property was zoned "O-1" Office District and later converted to "O-2" Office District in February of 2002 upon adoption of the current UDC.

The following restrictions shall apply to the scale of buildings in "C-1".

Maximum individual building size 5,000 square feet.

Maximum aggregate building size 15,000 square feet.

**Zoning Commission Recommendation:**

Approval

### VOTE

**FOR** 8

**AGAINST** 3

**ABSTAIN** 0

**RECUSAL** 0

**CASE MANAGER :** Pedro Vega 207-7980

**Z2006019**

**ZONING CASE NO. Z2006019** – February 7, 2006

Applicant: Padmasiri Somawardana

Zoning Request: "O-2" Office District to "C-2" Commercial District.

Sam Somawardana, 6800 Oxford Trace, stated the purpose of this zoning change is to allow development of a small shopping complex. He stated he would like to request a continuance on this case so that he could have more time to meet with surrounding neighbors.

**OPPOSE**

Phillip Manna, 9525 Rochelle, stated he would support the request for a continuance to meet with Mr. Somawardana and discuss his proposal.

Catherine Phipps, 10122 Sandy Glen, stated she also supports the continuance on this case.

Staff stated there were 21 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and Oakland Estates Neighborhood Association is in favor. Staff has also received a verbal vote by phone in opposition from Alamo Farmsteads/Babcock Road 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 Sherrill and seconded by Commissioner Marshall to recommend a continuance until March 7, 2006.

1. Property is located on Lot 17, Block 2, NCB 17176 at 5900 Block of Babcock Road.
2. There were 21 notices mailed, 1 returned in opposition and 1 in favor.
3. Staff recommends denial of "C-2" with an alternate recommendation of "C-1".

**Z2006019**

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

**NAYS: None**

**THE MOTION CARRIED**

**ZONING CASE NO. Z2006019 – March 7, 2006**

Applicant: Padmasiri Somawardana

Zoning Request: "O-1" Office District to "C-2" Commercial District.

Padmasiri Somawardana, 6800 Oxford Trace, owner, stated at the previous zoning meeting, February 7, 2006, he had received a letter of support from Oakland Estates Neighborhood Association and not Alamo Farmstead. Since then he has met with Alamo Farmstead Neighborhood Association. He stated they had some concerns with the "C-2" zoning designation and he has agreed to amend he request to "C-1" as staff as recommended.

Staff stated there were 21 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and Oakland Estates Neighborhood is in favor. Staff has also received 14 emails expressing their opposition and an email with 31 addresses that are also 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**

(A verbal vote was taken)

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

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

**NAYS: None**

**THE MOTION CARRIED**

**Z2006019**

**COMMISSION ACTION**

The motion was made by Commissioner Sherrill and seconded by Commissioner Stribling to recommend denial.

**AYES: Avila, Gadberry, Sherrill, Stribling**

**NAYS: Robbins, Rodriguez, Westheimer, Marshall, Wright, Martinez, Gray**

**THE MOTION FAILS**

**COMMISSION ACTION**

The motion was made by Commissioner Rodriguez and seconded by Commissioner Marshall to recommend approval of "C-1".

1. Property is located on Lot 17, Block 2, NCB 17176 at 5900 Block of Babcock Road.
2. There were 21 notices mailed, 1 returned in opposition and 1 in favor.
3. Staff recommends denial of "C-2" with an alternate recommendation of "C-1".

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

**NAYS: Avila, Gadberry, Sherrill**

**THE MOTION CARRIED**

RESULTS OF COUNCIL HEARING April 13, 2006

City Council granted a continuance until May 18, 2006

RESULTS OF COUNCIL HEARING May 18, 2006

City Council granted a continuance until June 15, 2006

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.