

**A G E N D A   R E P O R T**

**DATE** March 18, 2003

**ITEM** Ord. No. 2847 to Rezone Lot 8, Block 3, Charles Russell Addition

**INITIATED BY** Peter Bleskin, Property Owner

**ACTION REQUESTED** Accept Ord. No. 2847 on First Reading and Set Final Reading and Public Hearing Date

**PREPARED & PRESENTED BY** Bill Walters, Senior Planner

**REVIEWED & APPROVED BY** Ben Rangel, Acting Planning Director

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**RECOMMENDATION:**

To initiate final action on a request to rezone Lot 8, Block 3, Charles Russell Addition, from “LB” Local Business District to “GC” General Commercial District, it is recommended the City Commission accept Ordinance No. 2847 on first reading and set the final reading and public hearing date for 7:00 p.m., April 15, 2003.

**MOTION:**

“I move the City Commission accept Ordinance No. 2847 on first reading and set the final reading and public hearing for 7:00 p.m., April 15, 2003.”

**SYNOPSIS:**

If approved on final reading, Ordinance No. 2847 will rezone Lot 8, Block 3, Charles Russell Addition, from “LB” Local Business District to “GC” General Commercial District. Subject vacant lot is located at the southwest corner of the intersection of 10<sup>th</sup> Avenue South and 35<sup>th</sup> Street.

**BACKGROUND:**

Property owner Pete Bleskin has submitted a zoning application to rezone Lot 8, Block 3, Charles Russell Addition, from “LB” Local Business District to “GC” General Commercial District. Subject Lot 8 is presently vacant and was previously occupied by the Sahara Motel.

The zoning application was not accompanied by any explanation of the reason or purpose for the rezoning or the contemplated use of the property. Before submittal of the application, the Planning Staff did meet with Mr. Bleskin’s attorney to discuss the importance of providing as much detailed information as possible (such as a site plan and proposed use) to allow adequate evaluation of the request.

After reviewing the list of permitted uses in City Code for Local Business District and prohibited uses listed in General Commercial District and discussing the matter with the City Zoning Administrator, the following uses are presently not permitted on subject Lot 8 but would be permitted if rezoned to General Commercial District.

- bars and taverns
- nightclubs serving alcohol
- casinos and gambling establishments
- automobile upholstery, body repair and/or painting shops
- businesses involving outdoor storage of materials, equipment and machinery
- mini-warehouse/storage complex

- RV and heavy equipment sales lot
- interior light manufacturing

Attached, please find a vicinity zoning map.

Lots 1-4, Block 4, located to the east, were rezoned to General Commercial District in 1979.

The Planning Board conducted a public hearing on the rezoning of subject Lot 8 on February 25, 2003.

Jeff Mora, attorney, spoke on behalf of the applicant and owner. Mr. Mora said the comments he made at the previous hearing on the rezoning of Lots 3 and 4, Block 3, Charles Russell Addition, would also apply for this rezoning wherein he stated the rezoning will increase the flexibility and marketability of the two lots as well as increasing the pool of potential purchasers. The rezoning will bring the lots into conformance with other GC zoning on properties fronting on 10<sup>th</sup> Avenue South. The idea a casino will eventually locate on subject property is only an assumption.

No proponents spoke during the hearing. Stan Meyer, 3417 14<sup>th</sup> Avenue South; Jean Stone 3225 19<sup>th</sup> Avenue South; Katie Myers, 3440 12<sup>th</sup> Avenue South; Pat Orham, 1120 35<sup>th</sup> Street South; and John Stone, 3225 19<sup>th</sup> Avenue South, all spoke in opposition to the rezoning. In addition, written protest was received from Ronny Roach, owner of a four plex at 3441 11<sup>th</sup> Avenue South.

At the conclusion of the public hearing, the Planning Board on a 5-1 vote passed a motion recommending the City Commission deny the application to rezone Lot 8, Block 3, Charles Russell Addition, from "LB" Local Business District to "GC" General Commercial District.

It is anticipated a copy of the Staff Report and Recommendation on the subject with the minutes of the February 25, 2003, Planning Board hearing will be provided to the Commission prior to its April 15 public hearing on Ordinance No. 2847.

Attach: Ord. No. 2847  
Vicinity Zoning Map

cc: Peter Bleskin, 3456 10<sup>th</sup> Ave. S.  
Jeffrey Mora, 104 2<sup>nd</sup> St. S.