

## Legislation Text

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**File #:** 19-3922, **Version:** 1

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Conduct a public hearing and consider possible action for Application No. Z1118-0078, submitted by Lance H. “Luke” Beshara on behalf of Tejas Motel, LLC, for a change of zoning from Commercial and Skyline Logistics Hub Overlay to Commercial and Skyline Logistics Hub Overlay with a Conditional Use Permit to allow a limited service motel, located at 4405 U.S. Highway 80 East.

(Three responses in favor and one in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends denial of the application.)

The Tejas Motel was constructed in 1958. In 1997, it became a nonconforming use when the requirement for limited service hotels/motels to obtain a conditional use permit was adopted as part of the Zoning Ordinance. On July 26, 2018, the Board of Adjustment approved the amortization of the motel and based on negotiations with the owner and his Counsel, approved a compliance date of May 1, 2019. The owner has now requested a conditional use permit to make the motel conforming, which, if approved, would allow it to continue to operate. According to the applicant, there is a prospective purchaser of the motel who is willing to make improvements to the rooms and the site.

On December 10, 2018, the Planning and Zoning Commission voted 6-1 (Ms. Lynn dissenting) to deny Application No. Z1118-0078, for a rezoning from Commercial and Skyline Logistics Hub Overlay to Commercial and Skyline Logistics Hub Overlay with a Conditional Use Permit to allow a limited service motel.

### **Recommended/Desired Action**

After the public hearing, staff recommends denial. If the Council approves the request, staff will prepare an ordinance for consideration at the January 22, 2019, meeting.

Owners of more than 20% of the land in the notification area have provided written opposition to this request. Therefore, approval will require a  $\frac{3}{4}$  majority (6 affirmative) vote of the Council.

### **Attachment(s)**

Case Summary  
Staff report & maps  
Protest map  
P&Z minutes

### **Drafter**

Jeff Armstrong

### **Head of Department**

Jeff Armstrong