

STAFF REPORT

Case No. 0818-02
INFOR No. 18ZN1018

Planning Commission Hearing Date: August 8, 2018

Applicant & Legal Description	Owner: Texas Star Investments, Inc. Applicant: Todd Morgan (CARisma Car Wash) Location Address: 4441 South Alameda Street Legal Description: Lot 1B, Block 1, Windsor Park, located on the south side of South Alameda Street, east of Everhart Road, and west of Airline Road.			
Zoning Request	From: "CN-1" Neighborhood Commercial District To: "CG-2" General Commercial District Area: 0.52 acres Purpose of Request: To allow for the construction of an automated car wash.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CN-1" Neighborhood Commercial	Commercial	Commercial
	<i>North</i>	"RM-3" Multifamily 3	Medium Density Residential	High Density Residential
	<i>South</i>	"CN-1" Neighborhood Commercial	Public/Semi-Public	Government
	<i>East</i>	"CN-1" Neighborhood Commercial	Public/Semi-Public	Government
	<i>West</i>	"CN-1" Neighborhood Commercial	Commercial	Commercial
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Midtown Area Development Plan (ADP), formerly known as the Southeast Area Development Plan (ADP) and is planned for commercial uses. The proposed rezoning to the "CG-2" General Commercial District is inconsistent with the adopted Comprehensive Plan (Plan CC) in relation to the proposed use. Map No.: 042038 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 182 feet of street frontage along South Alameda Street which is designated as an "A2" Secondary Arterial Street. According to the Urban Transportation Plan, "A2" Secondary Arterial Divided Streets can convey a capacity between 20,000 to 32,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Alameda Street	"A2" Secondary Arterial Street	100' ROW 54' paved	105' ROW 65' paved	15,572 ADT (2014)

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District to allow for the construction of an automated car wash.

Development Plan: The subject property is 0.64 acres in size. The owner is proposing the construction of a 2,400 square foot automated car wash. The automated car wash will have between 3 and 5 employees. The hours of operation will be from 8 am to 8 pm.

Existing Land Uses & Zoning: The subject property is currently zoned "CN-1" Neighborhood Commercial District and was formerly Gill's Nursery. The subject property is zoned "CN-1" Neighborhood Commercial District, annexed in 1941, and is platted. To the north, across South Alameda Street is a multifamily apartment complex (Alameda Apartments) zoned "RM-3" Multifamily 3 District. Additionally, to the northwest there are other commercial properties along South Alameda Street zoned "CN-1" Neighborhood Commercial District (Restaurants) or "CG-2" General Commercial District (H-E-B). To the south is a mostly vacant 60-foot wide lot with a telecommunication antenna. South of this property is a single-family residential subdivision (Windsor Park Subdivision) zoned "RS-6" Single-Family 6 District. To the east and west are commercial properties zoned "CN-1" Neighborhood Commercial District and consist of a restaurant, insurance office, and a hospice center medical office.

AICUZ: The subject property is not located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

Plat Status: The property is platted.

PlanCC & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the "CG-2" General Commercial District is inconsistent with the adopted Comprehensive Plan (Plan CC) in relation to the proposed use. The following policies should be considered:

- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use. (Future Land Use, Zoning, and Urban Design Policy Statement 1)
- Encourage orderly growth of new residential, commercial, and industrial areas. (Future Land Use, Zoning, and Urban Design Policy Statement 1)

- Encourage the design of commercial centers in a manner that minimizes the impacts of automobile intrusion, noise and visual blight on surrounding areas. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Screening fences, open space or landscaping can provide an essential buffer between shopping and residential areas. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Lighting from non-residential uses should be directed away from residential areas (Southeast ADP, Policy Statement B.2)
- Noise impacts from non-residential uses should be reduced by creating a buffer open space between the two areas. Such spaces may be landscaped areas, a street, a screening fence, larger setbacks, etc. These methods can be used singularly but are usually most effective when applied in combination to provide the desired effect. (Southeast ADP, Policy Statement B.2)
- Placing low intensity activities next to single family uses. (Southeast ADP, Policy Statement B.2)

Department Comments:

- The proposed rezoning is inconsistent with the adopted Comprehensive Plan (Plan CC) in relation to the proposed use
- The proposed rezoning is partially compatible with neighboring properties and with the general character of the surrounding area. This rezoning may have a negative impact upon the surrounding neighborhood in regards to noise.
- Existing commercial properties to the south, east and west are zoned “CN-1” Neighborhood Commercial District.
- A 60-foot wide commercial property to the south with a telecommunication antenna will act as a buffer between the subject property and the single-family residential subdivision (Winsor Park).
- The “CG-2” District opens the possibility of more intense commercial uses such as Mini-Storage, Bars, and Night Clubs adjacent to single-family residences.
- An automated car wash with a single wash bay is a low impact commercial use. The limited hours of operation of 8 a.m. to 8 p.m. would reduce any potential negative impacts from occurring.
- As in previous car wash projects a question of noise has arisen. This proposed automated car wash will have vacuums. However, the latest trends in car vacuums is typically a single underground unit that has multiple access points to parking stall stations for use versus the traditional individual vacuum unit at each use area.
- If the “CG-2” General Commercial District is approved, the proposed development will still need to abide by all requirements of the Unified Development Code (UDC).

Staff Recommendation:

Denial of the change of zoning from the “CN-1” Neighborhood Commercial District to the “CG-2” General Commercial District, in lieu thereof, approval of the “CN-1/SP” Neighborhood Commercial District with a Special Permit (SP) with the following conditions.

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is “Car Wash, automated” as defined by the Unified

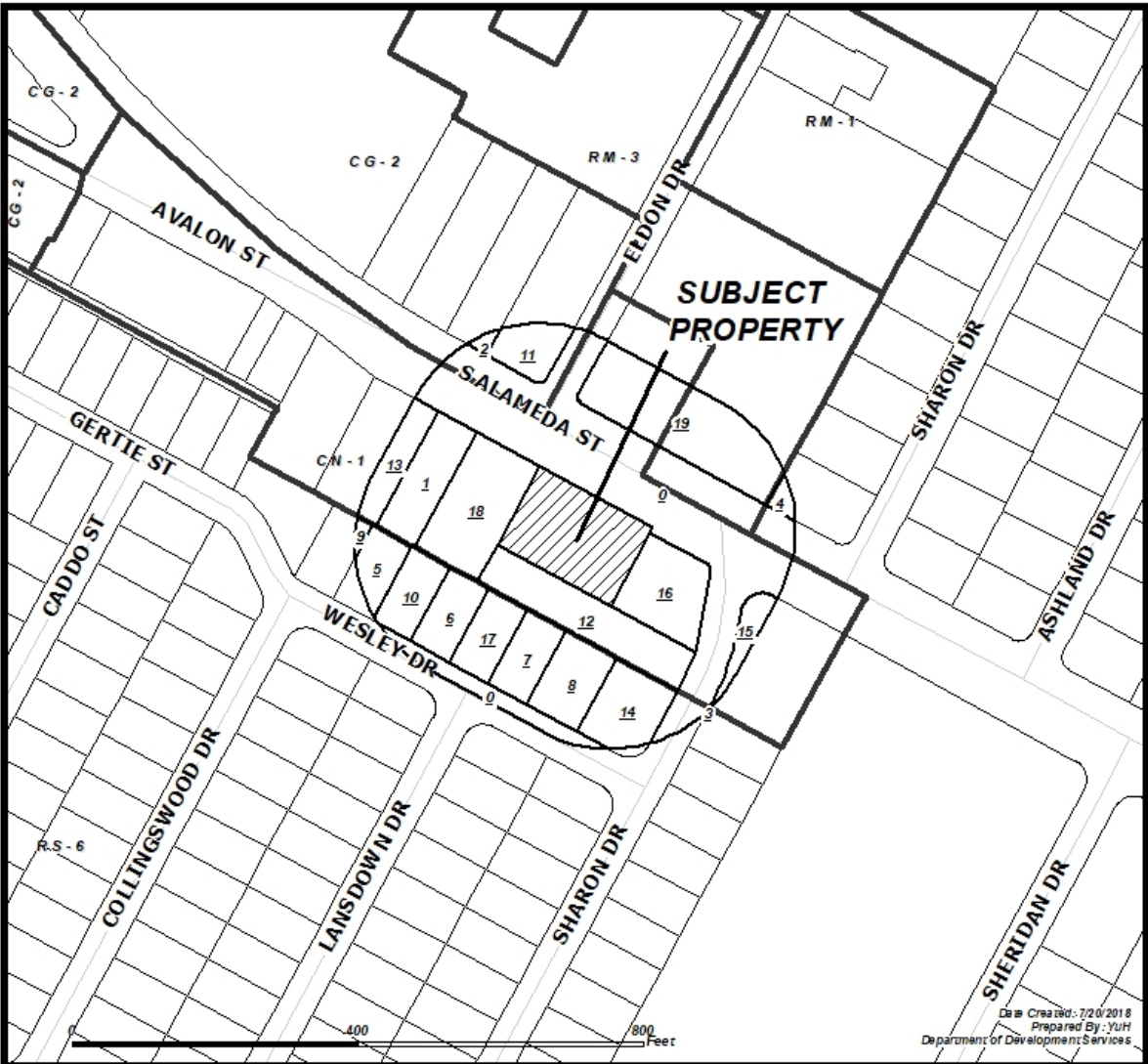
Development Code (UDC). All vehicle service and repairs must be done within an enclosed building and must follow all federal, state, local regulations.

2. **Setback/Screening:** A setback at a minimum of 10 feet shall be maintained from the rear property line. A 6-foot solid screening fence shall be built along the rear property line.
3. **Hours of Operation:** The hours of operation shall be daily from 8:00 AM to 8:00 PM.
4. **Dumpster Screening:** Any dumpster located on the Property shall be effectively screened from view by means of a screening fence or landscaping.
5. **Lighting:** All security lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line near all public roadways and residential development.
6. **Noise:** Must not exceed sixty (60) dB at the property line where adjacent to residential properties.
7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
8. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (12) months of this ordinance, unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Public Notification	Number of Notices Mailed – 19 within 200-foot notification area 5 outside notification area
	<u>As of August 3, 2018:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land within the 200-foot notification area in opposition.

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Preliminary Site Plan
- C. Public Comments Received (if any)



CASE: 0818-02
ZONING & NOTICE AREA

RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
OW Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-9 Single-Family 9
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF Two-Family
CR-1 Resort Commercial	RS-16 Single-Family 16
CR-2 Resort Commercial	RE Residential Estate
CG-1 General Commercial	RS-TH Townhouse
CG-2 General Commercial	SP Special Permit
CI Intensive Commercial	RV Recreational Vehicle Park
CBD Downtown Commercial	RMH Manufactured Home
CR-3 Resort Commercial	
FR Farm Rural	
H Historic Overlay	
BP Business Park	

Subject Property with 200' buffer
 Owners in favor
 Owners in opposition
4 Owners within 200' listed on attached ownership table



