

PLANNING COMMISSION FINAL REPORT

Case No. 0119-05
INFOR No. 18ZN1037

Planning Commission Hearing Date: February 6, 2019

Applicant & Legal Description	Owner: Lonestar Builders, Inc. Applicant: Bar Property Management, LLC. Location Address: 542 Airline Road Legal Description: Being 0.77 acres out of a portion of Block B-2E, Cullen Place, located on the east side of Airline Road, south of South Alameda Street, and north of Belmeade Drive.		
Zoning Request	From: "CN-1" Neighborhood Commercial District To: "CG-2" General Commercial District Area: 0.77 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
	<i>Site</i>	"CN-1" Neighborhood Commercial	Vacant
	<i>North</i>	"CN-1" Neighborhood Commercial	Vacant and Commercial
	<i>South</i>	"RS-6" Single-Family 6	Public/Semi-Public
	<i>East</i>	"CN-1" Neighborhood Commercial	Vacant
	<i>West</i>	"ON" Neighborhood Office	Medium Density Residential
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. Although the proposed rezoning to the "CG-2" General Commercial District is consistent with the future land use, it is inconsistent with the adopted Comprehensive Plan (Plan CC) in relation to the adjacent zoning districts. Map No.: 042037 Zoning Violations: None		
Transportation	Transportation and Circulation: The subject property has approximately 196 feet of street frontage along Airline Road which is designated as an "A1" Minor Arterial Street and approximately 120 feet of street frontage along Belmeade Drive which is designated as a Local/Residential Street. According to the Urban Transportation Plan, "A1" Minor Arterial Streets can convey a capacity between 15,000 to 24,000 Average Daily Trips (ADT).		

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Airline Road	"A1" Minor Arterial	95' ROW 64' paved	80' ROW 66' paved	21,465 ADT (2013)
	Belmeade Drive	Local/Residential	50' ROW 28' paved	60' ROW 40' paved	N/A

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 0.77 acres in size. The owner is proposing an automated car wash.

Existing Land Uses & Zoning:

The subject property is currently zoned "CN-1" Neighborhood Commercial District and consists of vacant land. The subject property was annexed in 1954 and was a portion of the former Cullen Mall opened in 1963. The former indoor mall was closed in 1995 and demolished in 1999. To the north is a commercial property (Navy Army Credit Union, CVS Pharmacy, and a shopping center) zoned "CN-1" Neighborhood Commercial District. To the south across Belmeade Drive is a church (St. Bartholomew's Episcopal Church) zoned "RS-6" Single-Family 6 District. To the east are vacant commercial properties (former Cullen Mall site) zoned "CN-1" Neighborhood Commercial District. To the west across Airline Road is a multifamily apartment complex (Greenbrier Place Apartments) zoned "ON" Neighborhood Office District.

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.

Utilities:

Water: 8-inch ACP line located on-site.

Wastewater: 8-inch VCP line located on-site.

Gas: 2-inch Service Line located along Airline Road.

Storm Water: Existing inlets located along Airline Road and Belmeade Drive.

PlanCC & Area Development Plan Consistency:

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. 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 incompatible with neighboring properties and with the general character of the surrounding area. The proposed use (automated car wash) does not have a negative impact upon the surrounding neighborhood.
- Existing commercial properties to the north and east are zoned “CN-1” Neighborhood Commercial District.
- 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 7 a.m. to 9 p.m. would reduce the chance of any potential negative impacts from occurring.
- 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).

Planning Commission and Staff Recommendation (February 6, 2019):

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).
2. **Hours of Operation:** The hours of operation shall be daily from 7:00 AM to 9:00 PM.
3. **Dumpster Screening:** Any dumpster located on the Property shall be effectively screened from view by means of a screening fence or landscaping.
4. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
5. **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.

Vote Results:

For: 9
Opposed: 0
Absent: 0
Abstained: 0

Public Notification	Number of Notices Mailed – 7 within 200-foot notification area 5 outside notification area
	<u>As of February 1, 2019:</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. Proposed Site Plan
- C. Public Comments Received (if any)



