



# CASE NO: Z2003201

## Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from October 21, 2003, City Council continuance from January 8, 2004,  
City Council continuance from January 22, 2004

**Date:** January 29, 2004

**Zoning Commission Meeting Date:** November 04, 2003

**Council District:** 7

**Ferguson Map:** 580 E5

**Appeal:** No

**Applicant:** Owner

Eastway Inc. Marc Ross

**Zoning Request:** From "C-2" Commercial District to "C-2 C" Commercial District with  
conditional use for a self-service car wash facility

Lot 96 save and except the northeast 50 feet of the northeast 50 feet, NCB  
11544

**Property Location:** 4900 Evers Road

The southern intersection of Evers Road and Callaghan Road

**Proposal:** To develop and operate a self-service car wash facility

**Neighborhood Association:** Rolling Ridge Neighborhood Association

**Neighborhood Plan:** Near Northwest Community Plan

**TIA Statement:** A traffic impact analysis is not required

### Staff Recommendation:

Denial. The proposed use for the requested zoning is not compatible with the residential uses opposite the property. In as much, the proposed use will have an adverse impact on residential properties in the area such as noise, increased traffic flow and congestion.

### Zoning Commission Recommendation:

Approval

### VOTE

**FOR** 8

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

**CASE MANAGER :** Elvin J. Gant, Jr. 207-5876

**Z2003201**

**ZONING CASE NO. Z2003201** – October 21, 2003

Applicant: Eastway Inc.

Zoning Request: "C-2" Commercial District to "C-3" General Commercial District.

Marc Ross, owner, stated he is requesting this change in zoning to allow a car wash facility on the subject property. He stated they would be providing landscaping and this facility would be monitored.

**OPPOSE**

Lucille Alcozer, 5310 Bluff Haven Dr., stated she is for a car wash facility however she is concerned that if this operation should decrease this zoning would allow another operation that may sale alcohol use on the property.

Mrs. Sandoval, stated she is in support of Mr. Ross's car wash facility. She stated she is also concerned on the alcohol issue. She stated there are enough alcohol establishments in the neighborhood and they do not welcome another alcohol business in the neighborhood.

**REBUTTAL**

Marc Ross, stated he intend to run a clean operation. They would provide lighting, landscaping and the facility would be camera monitored. He stated he would accept a "C-2" C for a car wash facility.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Rolling Ridge Neighborhood Association is in 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.

**COMMISSION ACTION**

The motion was made by Commissioner Sherrill and seconded by Commissioner McAden to recommend approval of "C-2" C for a car wash facility.

1. Property is located on Lot 96, NCB 11544, save and except the northeast 50 feet of the northwest 50 feet at 4900 Evers Road.
2. There were 12 notices mailed, 0 returned in opposition and 2 in favor.
3. Staff recommends denial.

**Z2003201**

**AYES: Martinez, Kissling, Dutmer, Dixon, Sherrill, McAden, Avila, Peel**  
**NAYS: None**

**THE MOTION CARRIED**

**ZONING CASE NO. Z2003201** – November 4, 2003

Applicant: Eastway Inc.

Zoning Request: "C-2" Residential Single Family District to "C-2" C Commercial District with conditional use for a self-service car wash facility.

Mark Ross, stated he is requesting this change in zoning to construct a self-service car wash facility. He further stated he has met with representatives from Rolling Ridge Neighborhood Association who are in support of this request. He stated he has agreed to deed restrict the two following conditions 1. No bars; 2. No sexually oriented businesses.

**OPPOSE**

Paul Kerkez, 335 Tacoma, stated he is in opposition of this request. He stated they are concerned with the increase of traffic this facility may invite into the neighborhood. He also expressed concerns with the lighting that will offend the surrounding neighbors that would provide for this facility. He stated this intersection is very busy and is concerned with the water that will run onto the street that may cause slipper roads for this area.

Nettie Sandoval, 5310 Fair Ridge, stated she is also expressed the same concerns as Mr. Kerkez. She expressed concerns with the gang graffiti that may occur.

**REBUTTAL**

Marc Ross, stated their garages serves as a buffer to protect the surrounding neighbors from the noise and light pollution. He stated he has met with the neighborhood association to discuss the proposed development and they are in support.

Staff stated there were 12 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and Rolling Ridge Neighborhood Association is in favor.

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.

**Z2003201**

**COMMISSION ACTION**

The motion was made by Commissioner Sherrill and seconded by Commissioner Grau to recommend approval with the following condition

1. Property is located on Lot 96, NCB 11544, save and except the northeast 50 feet of the northwest 50 feet.
2. There were 12 notices mailed, 1 returned in opposition and 2 in favor.
3. Staff recommends denial.

**AYES: Martinez, Grau, Cardenas-Gamez, Dutmer, Dixon, Sherrill, McAden, Avila, Peel**

**NAYS: None**

**THE MOTION CARRIED**

RESULTS OF COUNCIL HEARING January 8, 2004

City Council granted a continuance until January 22, 2004

RESULTS OF COUNCIL HEARING January 22, 2004

City Council granted a continuance until January 29, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

**To be provided at Council hearing.**