



CASE NO: Z2004137

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from June 15, 2004, and July 20, 2004

Date: August 26, 2004

Zoning Commission Meeting Date: August 03, 2004

Council District: 4

Ferguson Map: 650 A6

Appeal: No

Applicant: Owner

Juan I. Alonso

Juan I. Alonso

Zoning Request: From R-4 Residential Single-Family District to C-2 NA C Commercial District Nonalcoholic Sales with a conditional use for automobile sales

Lots 52 and 53, Block 4, NCB 7645

Property Location: 1142 Kendalia Avenue

Proposal: To operate a used car dealership

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

Denial. The subject property is occupied by a single-family home that is completely surrounded by R-4 zoning and residential use, except for the small triangular-shaped lot remnant immediately to the east. This small triangular tract to the east was recently rezoned from residential to C-2 NA C Conditional Use for a used car lot. Staff recommended denial of that previous case to prevent just the kind of intense commercial encroachment the subject request, if approved, would result in. Commercial Zoning is encouraged at major intersections of arterials and commercial nodes, not local neighborhood streets. Commercial encroachment into this residential neighborhood would have a negative impact and further deteriorate this inner-city neighborhood, which needs protection. The requested zoning is not compatible with the adjoining homes or the homes across the street that would front any commercial use on the subject lots.

Zoning Commission Recommendation

Approval. C2 NA C

CASE MANAGER : Richard Ramirez 207-5018

VOTE

FOR	90
AGAINST	1
ABSTAIN	1
RECUSAL	0

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ZONING CASE NO. Z2004137 – June 15, 2004

Applicant: Juan I. Alonso

Zoning Request: "R-4" Residential Single Family District to "C-3NA" Commercial District, Nonalcoholic Sales.

Applicant/Representative not present.

Staff stated there were 21 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned 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.

COMMISSION ACTION

The motion was made by Commissioner Avila and seconded by Commissioner Cardenas-Gamez to recommend a continuance until July 20, 2004.

1. Property is located on Lot 52 and 53, Block 4, NCB 7645 at 1142 Kendalia Avenue.
2. There were 21 notices mailed, 3 returned in opposition and 0 in favor.
3. Staff recommends denial.

AYES: Martinez, Cardenas-Gamez, Kissling, Dutmer, Dixon, Sherrill, McAden, Avila, Stribling, Peel

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004137 – July 20, 2004

Applicant: Juan I. Alonso

Zoning Request: "R-4" Residential Single Family District to "C-3NA" Commercial District, Nonalcoholic Sales.

Juan Alonso, owner, stated the purpose of this request is to allow for a use car lot on the subject property. He stated his hours of operation would be Monday thru Friday from 9am to 6pm, Saturday from 9am to 3pm and they would be closed on Sunday's. He further stated he has met with the surrounding property owners, who are in support, along with the Councilman Perez's staff to present his proposal.

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Staff stated there were 21 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned 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.

COMMISSION ACTION

The motion was made by Commissioner Avila and seconded by Commissioner Dutmer to recommend approval of "C-2NA" C for a used car lot with the following conditions: a.) Placement of a sign at the car lot on Kendalia entrance prohibiting cars from exiting onto Kendalia; b.) Regarding of the alley behind the subject property; c.) Configuration of lighting to no offend residents; d.) Sounds system as not to offend residents; e.) Fumigate existing home on property; f.) No parking sign off Kendalia Street.

1. Property is located on Lots 52 and 53, Block 4, NCB 7645 at 1142 Kendalia Avenue.
2. There were 21 notices mailed, 3 returned in opposition and 0 in favor.
3. Staff recommends denial.

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

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004137 – August 3, 2004

Applicant: Juan I Alonso

Zoning Request: "R-4" Residential Single-Family District to "C-2NA" C Commercial District Nonalcoholic Sales with a conditional use for automobiles sales.

Juan I Alonso, 1142 Kendalia, owner, stated the purpose of this request is to operate a used car lot on the subject property. He stated he has met with the surrounding homeowners along with Councilman Perez's staff and the Zoning Commissioner to present his proposal and to address their concerns. He feels this business would enhance the appearance of the community.

FAVOR

Suzanna Sutton, stated she is in support of this zoning change. She feels this business would beautify the neighborhood.

OPPOSE

Diane Lang, 143 Walton, stated she is in opposition of this request. She stated they are in the process of forming a Neighborhood Community Plan and these types of businesses would not be consistent with their neighborhood plan. She stated they are in support of enhancing the community but feels this type of business would have a negative impact on the neighborhood.

Cynthia Montez, 903 Vermont, stated there are enough used car sales lots in the area and feels this business would increase the traffic flow in and out of the neighborhood.

Mary Alice Klein, 2402 W. Southcross, stated she has lived in the area for many years and would like the neighborhood to maintain its residential character. She expressed concerns with how this business may affect their property values. She also expressed concerns with the increase of traffic flow in and out of the neighborhood making an unsafe community for the children and elderly.

Arthur Campos, 302 E. Melrose Dr., stated he is a Planning Team Member for the Nogalitos/Zarzamora Community Plan and they have been working on a Neighborhood Plan, which would prohibit business such as Mr. Alonso's to come into the community. He stated he supports growth on the Southside but feels business use in a residential area is not suitable. He also expressed concerns with the increase in traffic flow.

Allan Townsend, 143 Walton, stated he also sits on the Planning Team. He stated this type of business is not consistent with the neighborhood plan that is in the making. He also would like to express the same concerns of increase in traffic flow in and out of the neighborhood. He stated there is enough used car lots in the neighborhood.

REBUTTAL

Juan I Alonso, 1142 Kendalia, owner, stated he is surprised with the opposition. He stated he has met with the surrounding neighbors to present his proposal and to address any concerns. He felt the meeting went well and had their support. He has also presented his proposal to Councilman Perez who is also in support.

Staff stated there were 21 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned 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.

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COMMISSION ACTION

The motion was made by Commissioner Avila and seconded by Commissioner Grau to recommend approval.

1. Property is located on Lots 52 and 53, Block 4, NCB 7645 at 1142 Kendalia Avenue.
2. There were 21 notices mailed, 3 returned in opposition and 1 in favor.
3. Staff recommends denial.

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

NAYS: Sherrill

ABSTAIN: Kissling

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.