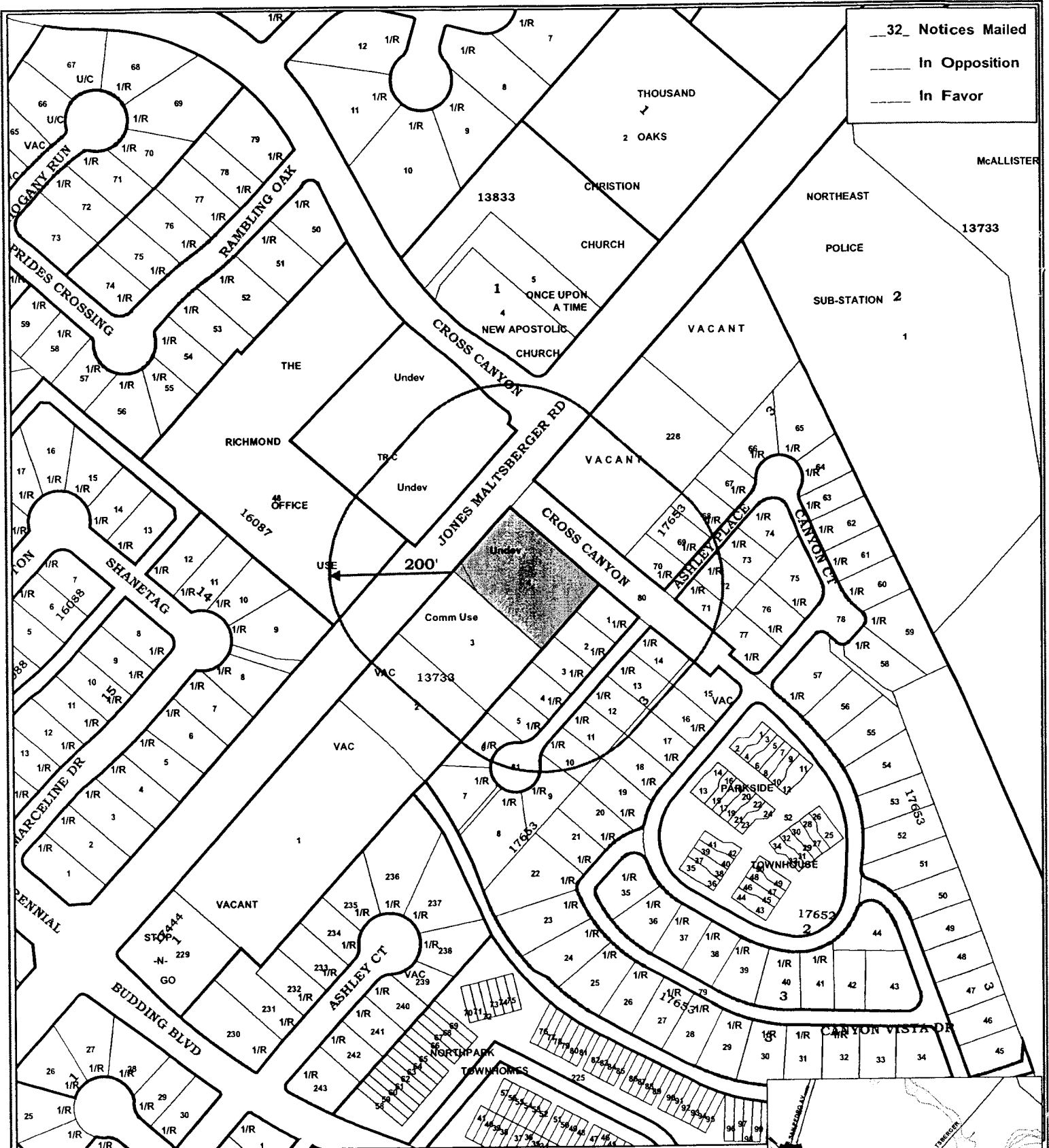


__32__ Notices Mailed

_____ In Opposition

_____ In Favor



ZONING CASE: Z2006-016 S

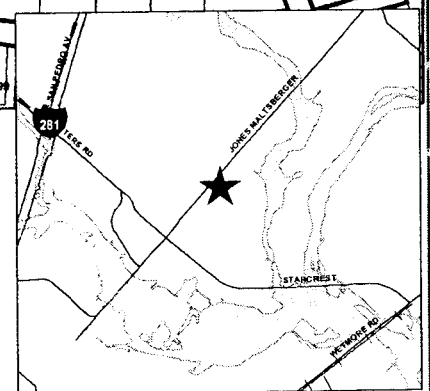
City Council District No. 9
Requested Zoning Change
From "C-2" To "C-2 NA S"
Date: March 23, 2006
Scale: 1" = 200'

Subject Property

200' Notification



C:\Dec_6_2005



CASE NO: Z2006016 S

Staff and Zoning Commission Recommendation - City Council

Date: March 23, 2006

Zoning Commission Meeting Date: February 21, 2006

Council District: 9

Ferguson Map: 551 C-1

Applicant:

Owner:

Brown P.C.

McAllister Car Wash, LLC

Zoning Request: From "C-2" Commercial District to "C-2 NA S" Commercial, Nonalcoholic Sales District with a Specific Use Permit for a Car Wash

Lot 4, Block 4, NCB 17653

Property Location: 12930 Jones Maltzberger Road

Intersection of Jones Maltzberger Road and Cross Canyon

Proposal: For the development of a car wash facility

Neighborhood Association None

Neighborhood Plan: None

Traffic Impact Analysis

A Traffic Impact Analysis is not required, however, it may be required at the building or plat stage

Staff Recommendation:

Approval

The subject property is currently vacant and is part of a commercially zoned strip of land located along Jones Maltzberger Road. The property to the northwest, west, and south are zoned for residential use. The properties to the north, and east are zoned for commercial use.

Based on the site plan, a car wash facility would be appropriate at this location. The vacuum cleaners have been positioned toward the front of the lot away from the residential structures. In addition, there is a substantial buffer of vacant land in between the proposed car wash and the existing residential dwellings.

Proposed Staff Conditions:

1. Construct a Type C Landscape Buffer along the portion of the property that is adjacent to the residential development.
2. Restrict access from Cross Canyon Street
3. Pavement shall not encroach further to the southeast as per site plan.
4. Hours of operation shall be restricted to 6:00 a.m. to 11:00 p.m.

Zoning Commission Recommendation:

Denial

CASE MANAGER : Pedro Vega 207-7980

VOTE

FOR	9
AGAINST	0
ABSTAIN	0
RECUSAL	0

CITY OF SAN ANTONIO
Development Services Department
MEMORANDUM

TO: City Council Members

FROM: Roderick J. Sanchez – Executive Secretary, Zoning Commission

COPIES TO: City Clerk; File

SUBJECT: Memo Regarding Zoning Commission recommendation on Zoning Case Z2006016

DATE: March 16, 2006

In regards to the above referenced zoning case the Zoning Commission recommendation was not consistent with that of the Development Services Department. In order better understand the Commission's recommendation a transcript of the motion has been prepared for your review.

ZONING CASE NO. Z2006016 S

Applicant: Brown, P. C.

Zoning Request: "C-2" Commercial District to "C-2NA" S Commercial Nonalcoholic Sales District with a Specific Use Permit for a Car Wash.

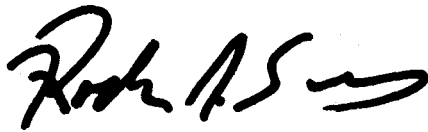
Commissioner McAden: "Thank you Mr. Chairman, allow me on my final case. Let's go back and clear some of the air, I have talked to numerous neighbors; I have met with two different associations. Regardless, first of all I want to go back to one thing that I harped on in the session we had this morning, the work session. We are about land use and secondly you got to do what you think is right. And regardless of anything that may have happened between the applicant and the neighborhood is immaterial. Nobody in this room, except a few of us, may even know that. I do disagree with Mr. Brown but a car wash is a more intensive use in my view than a Blimpie's or a drive-in to get your clothes cleaned. As far as the associations go, first of all we've seen we have one, a bunch of signatures, 50 plus, that are in agreement or opposition, I respect that. I also respect the 79% of the town home owners that voted against the car wash. We are asking to go into a "C-3" category for the "C-2" use, that's the reason they have to have the "S", the Special Use Authorization. It does not matter in my viewpoint the number of car washes around there. Our job is land use not the number of car washes. You're going to have trash, and all due respect, with any business that goes there. Any business you put there is going to bring more

traffic; any business you put there is going to bring more congestion. Anything that goes there is going to have more lighting, but sure you can direct it, there's no question about that. There will be a question of security regardless of what goes there. Yes, we do have a.... there's a big, big question in my mind of compatibility with the neighborhood. A car wash in my mind is not compatible with that particular piece of property and Mr. Arredondo may have ended on a high note. Mr. Brown we are not going to end on a very high note. But I have all the respect in the world for Ken and he does a good job in representing anyone that he comes up for before this commission. But in this case we just do not agree and it is all about land use and the compatibility of that land use. I don't care whether there's 5 feet, 25 feet or 75 feet. No homeowner who is there first needs to have someone put a car wash or something that does not fit in that zoning classification there without their input and/or agreement. So thank you for allowing this pontification but on zoning case Z2006016 S, the applicant's name, owner name, property location, the zoning request are in the application, my recommendation is for denial."

THE MOTION CARRIED

If I may be of further assistance, please do not hesitate to contact me at (210) 207-7905.

Sincerely,

A handwritten signature in black ink, appearing to read "Roderick J. Sanchez", with a stylized flourish at the end.

Roderick J. Sanchez
Executive Secretary, Zoning Commission

RS/jj

Z2006016 S

ZONING CASE NO. Z2006016 S – February 21, 2006

Applicant: Brown, P. C.

Zoning Request: "C-2" Commercial District to "C-2NA" S Commercial Nonalcoholic Sales District with a Specific Use Permit for a Car Wash.

Ken Brown, 112 E. Pecan, representing the owner, stated they have met with the neighborhood association to discuss their proposal. He stated he presented a site plan and addressed the concerns that were raised at that time. He further stated they agreed on no egress/ingress on the private streets, move vacuum cleaners to the front of the property and away from the residential homes and also provide a 75-foot buffer along the back of the subject property. He stated they are also in agreement with staff's recommendations.

OPPOSE

Caryl Paulson, 12414 Ashley Place, stated she has been in contact with her surrounding neighbors who strongly oppose this car wash facility. She has collected a petition with 56 signatures expressing their opposition to this case. She stated there are a number of existing car wash facilities in the area. She does not feel this business is suitable for this area. She expressed concerns with the following:

- Loud music the customers tend to have during the cleaning process of their vehicles.
- Trash/debris that may blow into the neighborhood from the car wash facility.
- Increase in traffic in the neighborhood.
- Lighting the facility would use may encroach into the neighborhood.
- Water run off into the neighborhood.
- Hours of operation 6 am to 11 pm.
- Security of the car wash facility

She also stated as car wash ages they tend to become an eyesore. She feels another business would be suitable for their neighborhood.

REBUTTAL

Ken Brown, 112 E. Pecan, representing the owner, stated the surrounding uses are all commercial and does not feel an additional car wash facility would not increase traffic volume as the traffic volume already exist. He stated they made changes to their proposal to address some of the neighbors concerns as moving the vacuum cleaners to the front of the property and away from the residential homes and also provide a 75-foot buffer along the back of the subject property. Also, he stated the owner has agreed with staff conditions.

Z2006016 S

Staff stated there were 32 notices mailed out to the surrounding property owners, 5 returned in opposition and 6 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 McAden and seconded by Commissioner Stribling to recommend denial.

1. Property is located on Lot 4, Block 4, NCB 17653 at 12930 Jones Maltsberger Road.
2. There were 32 notices mailed, 5 returned in opposition and 6 in favor.
3. Staff recommends approval.

**AYES: Avila, Robbins, Rodriguez, Gadberry, Sherrill, McAden, Martinez,
Stribling, Gray**

NAYS: None

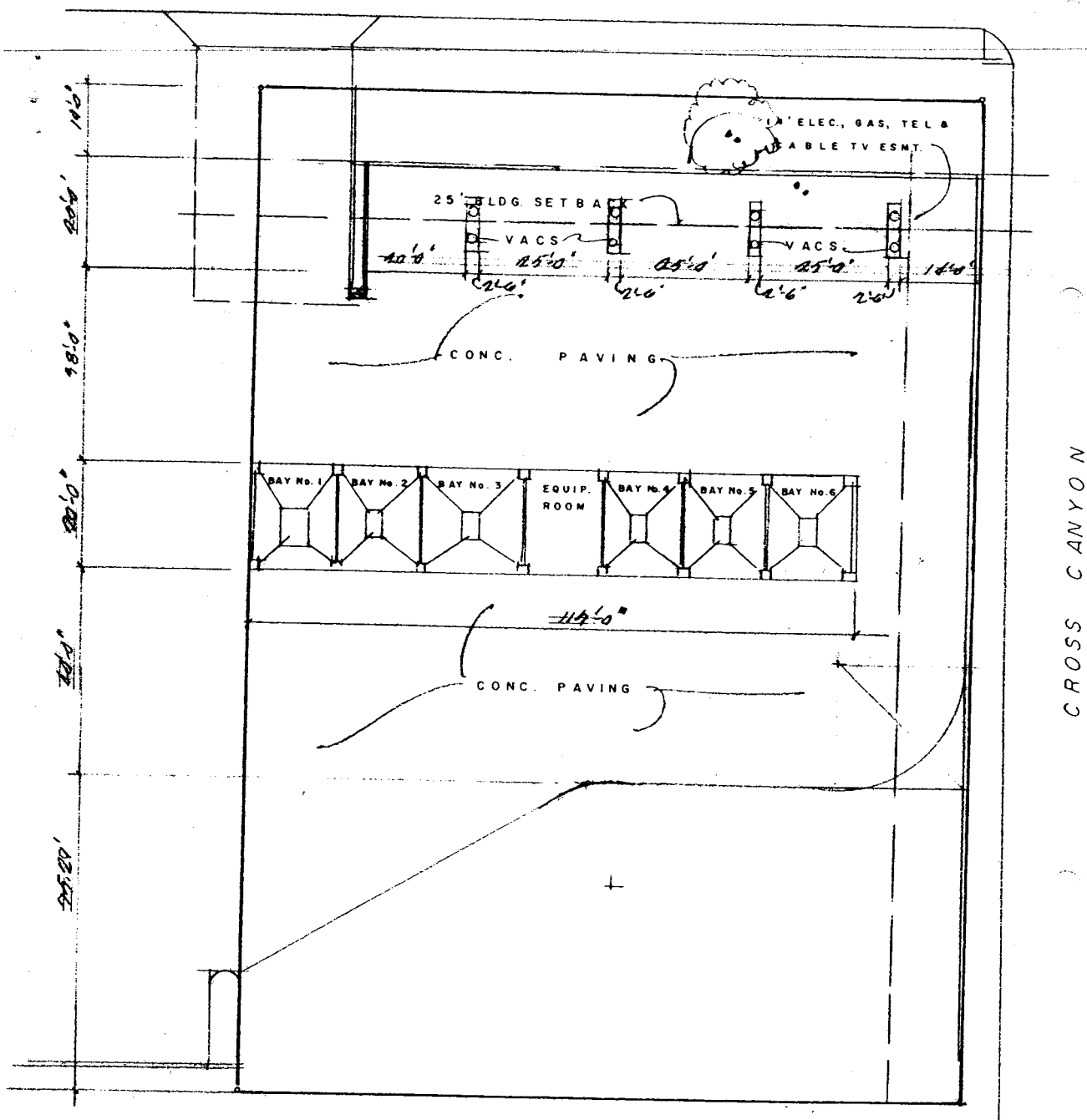
THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

Z2006016

12930 JONES - MALTSBERGER ROAD



SITE PLAN

SCALE: 1" = 20'

12/9/05