



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6278

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**Agenda Item Number:** Z-10.

**Agenda Date:** 11/5/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2020-10700184 CD

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-1 CD MLOD-2 MLR-1 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 15, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Ani Kumar S. Bhakta

**Applicant:** Steve Martin

**Representative:** Steve Martin

**Location:** 3926 Southwest Military

**Legal Description:** Lot 13A and Lot 13B, Block 3, NCB 11257

**Total Acreage:** 0.9826

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Quintana Community Association

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned “F” Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned “F” Local Retail District converted to the “C-2” Commercial District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C-2”

**Current Land Uses:** Restaurant, Office

**Direction:** South

**Current Base Zoning:** “RM-4”, “I-1”

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** “C-2”

**Current Land Uses:** Beauty Salon

**Direction:** West

**Current Base Zoning:** “C-2”

**Current Land Uses:** Collision Auto Repair

**Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-2" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** Southwest Military

**Existing Character:** Primary Arterial A

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 102

**Traffic Impact:** A Traffic Impact Analysis (TIA) is cannot be determined at this time.

**Parking Information:** The parking minimum for Auto and Vehicle Sales - new and used-small scale is 1 space per 500 square feet of gross floor area of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** C-2 districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining

**Proposed:** C-1 districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail - no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining. The “CD” Conditional Use allows the operation of Motor vehicle sales, pursuant to a site plan.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is within the West Sector Plan and located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the West Sector Plan and is currently designated as “Rural Estate Tier” in the future land use component of the plan. The requested “C-1” base zoning district is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed “C-1” Light Commercial is a less intense commercial use than the existing “C-2” Commercial and is appropriate along the major corridor of Military Drive.

**3. Suitability as Presently Zoned:**

The current “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The requested “C-1 CD” is also appropriate and would allow better utilization of the currently vacant tract. The consideration is for light commercial uses and the one additional use of Motor Vehicle Sales (Full Service). The Conditional Use also allows consideration of conditions where appropriate.

**4. Health, Safety and Welfare:**

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the West Sector Plan:

ED-2.4 Consider rezoning corridors and nodes to permit the mix of uses

LU-3.1 Consider re-zoning corridors in accordance with the West/Southwest Sector Land Use Plan

LU-6.5 Incentivize infill development in urban and suburban areas to lessen development pressure on agricultural areas

**6. Size of Tract:**

The subject property is 0.9826 acres, which could reasonably accommodate the use of motor vehicle sales.

**7. Other Factors:**

The subject property is located within the Lackland Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to the request.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.