



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-2501

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 3/19/2020

**Title:** ZONING CASE Z-2019-10700331 (Council District 3): Ordinance amending the Zoning District Boundary from "C-1 CD MLOD-3 MLR-1" Light Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Limousine Service - Dispatch and Office Use Only No Servicing of Vehicles Onsite to "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on Lot 15 and Lot 16, NCB 10761, located at 2035 South WW White Road, 2037 South WW White Road, and 2041 South WW White Road. Staff recommends Denial. Zoning Commission recommends Approval. (Associated Plan Amendment PA-2019-11600098)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2020-03-19-0206

Date	Ver.	Action By	Action	Result
3/19/2020	1	City Council A Session	approved	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2019-10700331  
(Associated Plan Amendment PA-2019-11600098)

**SUMMARY:**

**Current Zoning:** "C-1 CD MLOD-3 MLR-1" Light Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Limousine Service - Dispatch and Office Use Only No Servicing of Vehicles Onsite

**Requested Zoning:** "C-2 MLOD-3 MLR-1" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 1 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 18, 2020. This case was continued at the February 4, 2020 zoning hearing.

**Case Manager:** Michael Pepe, Planner

**Property Owner:** JS & WS Holdings, LLC

**Applicant:** JS & WS Holdings, LLC

**Representative:** Patrick Christensen

**Location:** 2035 South WW White Road, 2037 South WW White Road, and 2041 South WW White Road

**Legal Description:** Lot 15 and 16, NCB 10761

**Total Acreage:** 2.001

**Notices Mailed**

**Owners of Property within 200 feet:** 23

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

**Applicable Agencies:** Texas Department of Transportation, Martindale Army Airfield, Planning Department

**Property Details**

**Property History:** The property was annexed in 1952 and was originally zoned "A" Single Family Residence District. The property was then rezoned from "A" to "F" Commercial District by Ordinance 22,436 on March 8, 1956. The previous zoning district converted to "C-2" Commercial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001. The property was zoned from "C-2" to "C-1 CD" Light Commercial District with a Conditional Use for a Limousine Service - Dispatch and Office Use Only No Servicing of Vehicles Onsite by Ordinance 2014-06-05-0401 on June 5, 2014.

**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:** West

**Current Base Zoning:** "R-20"

**Current Land Uses:** Single-Family Dwelling

**Direction:** North

**Current Base Zoning:** "C-1 CD"

**Current Land Uses:** Funeral Home

**Direction:** East

**Current Base Zoning:** "C-1"

**Current Land Uses:** Restaurant, Apartments

**Direction:** South

**Current Base Zoning:** "C-1 CD", "R-20", "R-5"

**Current Land Uses:** Auto Repair, Single-Family Dwellings

**Overlay and Special District Information:**

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" 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.

### **Transportation**

**Thoroughfare:** South WW White Road

**Existing Character:** Primary Arterial A

**Proposed Changes:** None Known

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

Routes Served: 30, 230, 552

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The parking minimum for a Restaurant is 1 space per 100 square foot of gross floor area.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** 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 existing "CD" zoning also allows the basing of a Taxi Service.

**Proposed:** "C-2" Commercial 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. The addition of the "S" will allow for a carwash at the proposed location.

### **FISCAL IMPACT:**

None.

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

The property is located not located within a regional center and but is within a premium transit corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (9-1) recommends 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 Eastern Triangle Community Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the adopted land use designation or the neighboring properties. The applicant has requested a Plan Amendment to the Eastern Triangle Community Plan. Staff recommends Denial. The Planning Commission recommendation is pending the February 26, 2020 hearing.

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

Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed change increases the potential impacts of uses on the property. The pattern of land use and development in the area was proposed for light commercial uses, not higher intensity commercial uses.

**3. Suitability as Presently Zoned:**

The current “C-1” zoning is appropriate for the property and surrounding area. The uses of the corridor are consistent with the definition of “Neighborhood Commercial” and were established in 2014 by large-area rezoning to implement the Eastern Triangle Community Plan.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The subject property is located within the Eastern Triangle Community Plan.

The proposed rezoning appears to conflict with the following goals, principles, and objectives of the Eastern Triangle Community Plan:

- South District Development Guidelines:  
Preserve large single-family residential lots of one acre or more and the rural character of the South District.  
Recommend neighborhood commercial uses along South W. W. White.

**6. Size of Tract:**

The subject property is 1.9684 acres, which could reasonably accommodate commercial uses.

**7. Other Factors:**

The subject property is located within the Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request.

The applicant can accomplish various light commercial uses on the property, including restaurant and retail uses. The limitation is in building size of 5,000 square feet for development. However, an aggregate of 15,000 square feet is allowable (three (3) buildings of 5,000 square feet each).