



# City of San Antonio

## Agenda Memorandum

**File Number:**19-3670

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**Agenda Item Number:** 9.

**Agenda Date:** 5/7/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2019-10700064 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-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Auto and Light Truck Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 7, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Marciano and Josefina J. Gonzalez

**Applicant:** Jose Eloy Ybarra

**Representative:** Jose Eloy Ybarra

**Location:** 7326 New Laredo Highway

**Legal Description:** 0.263 acres out of NCB 11260

**Total Acreage:** 0.263

**Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Lackland Airforce Base, Texas Department of Transportation

### **Property Details**

**Property History:** The property was annexed by the City of San Antonio by Ordinance 18115 on September 25, 1952. The property was originally zoned "F" Business District and was rezoned to "B-2" Business District by Ordinance 49274 on April 20, 1978. "B-2" Business District converted to the current "C-2" Commercial District following the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The subject property is not located within the 100-year flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Commercial uses

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Commercial uses

**Direction:** South

**Current Base Zoning:** "R-4"

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

**Direction:** West

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Residential mixed with commercial uses

### **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:** New Laredo Highway

**Existing Character:** Secondary Arterial

**Proposed Changes:** None

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

Routes Served: 524

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

**Parking Information:** The minimum parking requirement for Auto and Light Truck Repair use is 1 vehicle space per 500 square feet of Gross Floor Area (GFA) including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-2”. These districts accommodate community commercial uses, with unlimited building size. 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, dry cleaning, and pawn shop. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is not within a Regional Transit Center but is located within a half mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff 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 West/Southwest Sector Plan and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern.

**3. Suitability as Presently Zoned:**

The existing “C-2” Commercial base zoning is an appropriate zoning district for the surrounding area. The added conditional use allows for consideration of conditioning down a “C-3” use to a “C-2” district. It also allows, where appropriate, for the conditions such as: buffering, fencing, hours of operation and restricted temporary signage.

**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/Southwest Sector Plan.

West Sector Plan Relevant Goals and Objectives:

- Goal ED-2 Existing and planned future corridors and accessible, pedestrian commercial nodes contain strong, vibrant business activities with a mix of uses and employment opportunities
- ED-3.1 Ensure the development of new business locations and employment centers are compatible with the West/Southwest Sector Land Use Plan

**6. Size of Tract:**

The subject property is approximately 0.263 acres, which would adequately support the requested commercial use.

**7. Other Factors:**

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed 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.