



# City of San Antonio

## Agenda Memorandum

**File Number:** 19-7173

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**Agenda Item Number:** 19.

**Agenda Date:** 10/1/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700205 CD

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "C-2 CD MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 1, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Laura Nelly De Hoyos

**Applicant:** Gregory Rodriguez

**Representative:** Gregory Rodriguez

**Location:** 1914 Semlinger Road

**Legal Description:** Lot 12, NCB 12887

**Total Acreage:** Lot 12, NCB 12887

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Dellcrest Area Neighborhood Association

**Applicable Agencies:** Martindale Army Air Field, Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed by the City of San Antonio by Ordinance 25568 on September 19, 1957. The property was originally zoned “A” Residence District and converted to “R-5” Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC). Later, the subject property was rezoned to “C-2” Commercial District by Ordinance 2017-10-05-0770 on October 5, 2017.

**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-3NA”

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** N/A

**Current Land Uses:** TxDOT ROW

**Direction:** South

**Current Base Zoning:** “C-3”

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** “R-5”

**Current Land Uses:** Single Family Residences

**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:** Semlinger Road

**Existing Character:** Collector

**Proposed Changes:** None

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

Routes Served: none.

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

**Parking Information:** The minimum parking requirement for Motor Vehicle Sales is 1 vehicle space per 500 square feet of Gross Floor Area (GFA).

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “C-2” accommodates 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.

**Proposed:** “C-2 CD” accommodates the same aforementioned uses by right, with the Conditional Use for Motor Vehicle Sales (Full Service). Motor vehicle sales (full service) is define as an establishment that provides sales of any motorized vehicles including autos, trucks, RV's, boats, motorcycles in addition to vehicle sales other vehicle related services to the general public such as vehicle repair, paint and body work, brake jobs, oil and lube service, vehicle detailing and washing.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Transit Center or 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 Eastern Triangle Community Plan and is currently designated as “Community Commercial” 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 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 Eastern Triangle Community Plan:

Goal 7: Create a community wide economic development plan

Objective 7.2: Attract new businesses to the Eastern Triangle

Goal 9: Promote diversification of businesses and services

Objective 9.1: Increase range of family-oriented businesses and services within the Eastern Triangle

**6. Size of Tract:**

The subject property is approximately 5.317 acres, which would adequately support the requested commercial use.

**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 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.

The applicant is developing a vacant lot for used motor vehicle sales.