



# City of San Antonio

## Agenda Memorandum

**File Number:**19-7534

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**Agenda Item Number:** 10.

**Agenda Date:** 11/5/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700222 S

**SUMMARY:**

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

**Requested Zoning:** "C-2 S MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Specific Use Authorization for a Car Wash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 15, 2019. This case is continued from the October 1, 2019 hearing.

**Case Manager:** Dominic Silva, Senior Planner

**Property Owner:** GILX Development - R.J. Gilbert

**Applicant:** Mike Meghani

**Representative:** Red & Black Engineering - Jose Cantu

**Location:** Generally located southwest of the intersection of Summer Fest Drive and North Foster Road

**Legal Description:** 3.64 acres out of NCB 16612

**Total Acreage:** 3.64

**Notices Mailed**

**Owners of Property within 200 feet:** 12

**Registered Neighborhood Associations within 200 feet:** Sunrise Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield

### **Property Details**

**Property History:** The subject property was annexed by Ordinance 81104, dated December 31, 1994 and zoned as Temporary "R-1" Residence District. The property converted to "R-6" Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001. The property then rezoned from "R-6" Single-Family Residential District to the current "C-2" Commercial District by Ordinance 99686, dated September 9, 2004.

**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-2"

**Current Land Uses:** Vacant/Auto Parts Retail

**Direction:** East

**Current Base Zoning:** "OCL"

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Church

**Direction:** West

**Current Base Zoning:** "R-5"

**Current Land Uses:** Residential

### **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.

"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:** Summer Fest Drive

**Existing Character:** Collector

**Proposed Changes:** None Known

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

Routes served: 630, 631

**Thoroughfare:** North Foster Road

**Existing Character:** Minor

**Proposed Changes:** None Known

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

Routes served: 630, 631

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required.

**Parking Information:** 1 space per unit

**ISSUE:**

None.

**ALTERNATIVES:**

Current: The present zoning district designation of "C-3" General Commercial District provides general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization.

Proposed: The proposed "C-3 S" allows all of the above in addition to a carwash.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or within 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 property is located within the I-10 East Corridor Perimeter 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 adopted land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The requested "C-2" maintains the current base zoning district and the "S" Specific Use Authorization allows for consideration of a Carwash with any necessary conditions such as: hours of operation, temporary signage restrictions, buffering, landscaping, fencing and other similar conditions.

**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 rezoning request does not appear to conflict with the land use goals and strategies of the I-10 East Corridor Plan.

- Goal 3: Improve the quality of life and safety of residents of the IH 10 East Perimeter Planning area by addressing incompatible land uses.
- Goal IH-10 East Overlay: Promote attractive and cohesive developments along the IH 10 East Corridor in a manner that protects the City's cultural, natural, and economic fabric.

#### **6. Size of Tract:**

The subject property of is 3.64 acres which would adequately support commercial development.

#### **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 purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.