



# City of San Antonio

## Agenda Memorandum

**File Number:**20-2492

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**Agenda Item Number:** 8.

**Agenda Date:** 3/17/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2020-10700012 CD

**SUMMARY:**

**Current Zoning:** "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Auto Repair

**Requested Zoning:** "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Carwash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 17, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Hossam Bulbisi

**Applicant:** Salah E. Diab

**Representative:** Salah E. Diab

**Location:** 2310 Westward Drive

**Legal Description:** Lot 28, Block 2, NCB 15587

**Total Acreage:** 0.4538 acres

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Cable Westwood/Lackland Terrace Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

### **Property Details**

**Property History:** The subject property was annexed into the city by Ordinance 32613, dated September 24, 1964 and was originally zoned Temporary "R-1" Single Family Residence District. The previous "R-1" district converted to "R-6" Single-Family Residential District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was then rezoned to "C-2 CD" Commercial District with a Conditional Use for Light Auto and Truck Repair by Ordinance 2015-09-17-0826, dated September 17, 2015.

**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-2NA" and "R-6 CD"

**Current Land Uses:** Vacant, single-family dwelling

**Direction:** East

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

**Current Land Uses:** Restaurants

**Direction:** South

**Current Base Zoning:** "C-2NA" and "C-3"

**Current Land Uses:** Auto Service

**Direction:** West

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

**Current Land Uses:** Single-family dwellings

### **Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. 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:** Military Drive

**Existing Character:** Secondary Arterial A

**Proposed Changes:** West Military Drive & Westmar Drive Area -- Construction of a storm drain system within Cable-Westwood/Lackland Terrace area to provide flooding relief to neighborhood streets and properties to include curbs, sidewalks and driveway approaches as needed.

**Thoroughfare:** Westward Drive  
**Existing Character:** Local  
**Proposed Changes:** None

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

**Routes:** 613, 615

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. The traffic generated by the proposed development exceeds the threshold requirements. Military is identified on the City's Major Thoroughfare Plan as a Secondary Arterial Type A (86' Right of Way). Right of Way dedication may be required.

**Parking Information:** The minimum parking requirement for a car wash is 1 parking space per 500 square feet of ground floor area including service bays, wash tunnels, and retail areas.

**ISSUE:** None.

#### **ALTERNATIVES:**

**Current:** The current "C-2NA" Commercial Nonalcoholic Sales accommodates commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. The district regulations within the "C-2NA" district are the same as in the "C-2" districts, except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

**Proposed:** The proposed "C-2NA" Commercial Nonalcoholic Sales accommodates commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. The district regulations within the "C-2NA" district are the same as in the "C-2" districts, except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

The proposed "CD" would allow consideration of a Carwash, a use normally permitted in the "C-3" General Commercial District.

#### **FISCAL IMPACT:**

None.

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

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

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 "General Urban Tier." The requested "C-2NA" is consistent with the future land use designation.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use of a carwash can potentially create noise and traffic concerns.

## **3. Suitability as Presently Zoned:**

The current "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Auto Repair is an appropriate zoning for the property and surrounding area. It allows "C-2" uses without alcohol sales along with one additional use which would be in an enclosed structure. The proposed zoning maintains the base of "C-2NA" but would allow a carwash which is more intense in use than auto repair in terms of being an open wash tunnel with vacuums which create noise. The Conditional Use does allow consideration of conditions such as fencing, landscape buffers, restricted temporary signage and hours of operation.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. Therefore, per the goals of the West/Southwest Sector Plan, limiting encroachment of commercial uses into established low-density residential areas must be carefully considered.

## **5. Public Policy:**

The proposed rezoning appears to conflict with the following goals, principles, and objectives of the West/Southwest Sector Plan:

Strategy ED-1.1: Locate business offices near existing residential areas within the Sector

Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses

Strategy LU-1.1: Limit encroachment of commercial uses into established low-density residential areas

Goal LU-3: Existing corridors are transformed and new corridors are carefully planned to create dynamic, mixed-use, pedestrian oriented nodes that are integrated into the surrounding community

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

The subject property is 0.4538 acres, which could reasonably accommodate a carwash.

## **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 Military has indicated that they have no objections to this 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.