



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6453

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**Agenda Item Number:** 4.

**Agenda Date:** 11/3/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2020-10700031 S

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Party House, Reception Hall, Meeting Facility

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 3, 2020. This case is continued from the October 6, 2020 hearing.

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Santiago Sandoval

**Applicant:** Juan Rodriguez

**Representative:** Juan Rodriguez

**Location:** Generally located at 9915 Roosevelt Avenue

**Legal Description:** Lot P-16 and 0.5118 acres out of NCB 11166

**Total Acreage:** 0.8018

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Registered Neighborhood Associations within 200 feet:** Villa Coronado Neighborhood Association

**Applicable Agencies:** Lackland Airforce Base

### **Property Details**

**Property History:** The property was annexed in 1988 by Ordinance 68292 and was originally zoned Temporary "R-1" Single Family Residence District. The property was rezoned to "R-A" Residence Agriculture District and "B-3NA" Business Non-Alcoholic Sales District by Ordinance 69286 dated April 13, 1989. The previous zoning district converted to "NP-10" Residential Single-Family District and "C-3NA" General Commercial Non-Alcoholic Sales District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, and dated May, 03, 2001. In a 2003 City-initiated large-area zoning case, the subject property was rezoned to "UD" Urban Development District. On August 7, 2014 the property was rezoned from "UD" to "C-2" by Ordinance 2014-08-07-0557 dated August 7, 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:** North

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

**Current Land Uses:** Restaurant and Hotel

**Direction:** East

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

**Current Land Uses:** Restaurants

**Direction:** South

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

**Current Land Uses:** Auto Repair

**Direction:** West

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

**Current Land Uses:** Auto Repair

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

"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.

**Thoroughfare:** Roosevelt

**Existing Character:** Super Arterial B

**Proposed Changes:** None Known

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

**Routes Served:** 42

**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 Motor Vehicle Sales (Full Service) is 1 parking space per 500 sf GFA including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay.

**ISSUE:**

The requested “C-2 CD” base zoning district is not consistent with the future land use designation. There is already a saturation of Motor Vehicle Sales (Full Service) and Auto Paint and Body along the Roosevelt corridor. Approval of this request would further saturate the corridor.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district of "C-2" Commercial District.

**Current:** “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 “S” Specific Use Authorization allows all “C-2” uses in addition to a Party House, Reception Hall, Meeting Facility.

**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 “CD” Conditional Use will allow all “C-2” uses in addition to Motor Vehicle Sales (Full Service).

**FISCAL IMPACT:**

None.

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

The property is located not located within a regional center and nor is it 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 subject property is located within the Heritage South Sector Plan and is currently designated as “Mixed Use Center” 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 did not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The existing “C-2” Commercial District and “C-2 S” Commercial District with Specific Use Authorization for a Party House, Reception Hall, Meeting Facility is consistent and compatible with existing and surrounding zoning and uses.

The base district will remain “C-2” Commercial District. The “CD” Conditional Use allows consideration of Motor Vehicle Sales (Full Service).

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

The current "C-2" Commercial District and “C-2 S” Commercial District with Specific Use Authorization for a Party House, Reception Hall, Meeting Facility is appropriate for the property and surrounding area. The requested “C-2 CD” base zoning district with Conditional Use for Motor Vehicle Sales is consistent and would change the existing zoning to no longer allow the Party House/Reception use. A use that generally, generates more traffic, people and noise to an area. Conversely, the Motor Vehicle Sales will be a less intense and more sedentary use for the area.

### **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 Heritage South Sector Plan:

#### **Plan Goals:**

- Goal ED-1 Advance goals of Mission Verde relative to “green” jobs and industries
  - ED-1.1 Encourage workforce development of “green skills”
  - ED-1.2 Provide incentives and develop a marketing plan to attract “green” jobs/industries to the plan area

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

The subject property is 0.8018 acres, which could reasonably accommodate commercial uses and Motor Vehicle Sales (Full Service).

### **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.

If recommended for Approval by the Commission and Council, staff recommends the following condition:

No temporary signs, pennant signs, wind-wavers, bandit or snipe signs.