



# City of San Antonio

## Agenda Memorandum

**File Number:**21-3879

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**Agenda Item Number:** 10.

**Agenda Date:** 6/1/2021

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2021-10700091 S

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-2 S MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization for a Carwash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 1, 2021

**Case Manager:** Justin Malone, Planner

**Property Owner:** Ismail Najiyyah Irrevocable Life Insurance Trust Irrevocable Trust

**Applicant:** Killen, Griffin & Farrimond, PLLC

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** Generally located in the 6600 block of Medina Base Road

**Legal Description:** Lot 47, Block 1, NCB 16001

**Total Acreage:** 1.682

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** People Active in Community Effort, Ridge Stone HOA, Heathers Cove HOA

**Applicable Agencies:** Lackland, TxDOT

### **Property Details**

**Property History:** The property was annexed on December 25, 1972 by Ordinance 41420 and was originally zoned Temporary "R-1" Single Family Residence. The previous Temporary "R-1" Single Family Residence zoning district converted to "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, and dated May 03, 2001. The property was rezoned from "R-6" Residential Single-Family District to "R-4" Residential Single-Family District by Ordinance 96880, dated December 12, 2002. A portion of the property was rezoned from "R-4" Residential Single-Family District to "C-2" Commercial District by Ordinance 2008-02-21-0152, dated February 21, 2008.

**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:** "R-4"

**Current Land Uses:** Single Family Residential

**Direction:** East

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

**Current Land Uses:** Single Family Residential

**Direction:** South

**Current Base Zoning:** "R-4", "C-2"

**Current Land Uses:** Single Family Residential, Vacant Land

**Direction:** West

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

**Current Land Uses:** Gas Station

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

"MLOD-2"

The "MLOD-2" Lackland Military Lighting Overlay District 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.

**Thoroughfare:** Medina Base Road

**Existing Character:** Arterial

**Proposed Changes:** None Known

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

**Routes Served:** 611, 616

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** 1 per 500 sf GFA including service bays, wash tunnels and retail areas.

**ISSUE:**

None.

**ALTERNATIVES:**

**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.

“R-4” Residential Single-Family districts accommodate single family dwellings (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**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 “S” Specific Use Authorization will allow all “C-2” uses in addition to a Car Wash.

**FISCAL IMPACT:**

None.

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

The property is within a regional center, but it is not 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 United Southwest 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 did not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The existing “C-2” Commercial District is consistent with neighboring properties. The base district will remain “C-2” Commercial District. The “S” Specific Use Authorization allows consideration of a Car Wash.

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

The current "C-2" Commercial District and "R-4" Residential Single Family is appropriate for the property and surrounding area. The requested "C-2 CD" base zoning district with a Specific Use Authorization for a Car Wash is consistent and compatible with existing and surrounding zoning and uses.

### **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 United Southwest Community Plan:

#### **Plan Goals:**

- Goal 1: Economic Development
  - Attract new businesses, services and retail establishments to the United Southwest communities.

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

The subject property is 1.682 acres, which could reasonably accommodate commercial uses and a car wash.

### **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 there are no objections to this 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.

The Specific Use Authorization request is for a Car Wash.