



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 18, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**

ZONING CASE Z-2024-10700278 S

**SUMMARY:**

**Current Zoning:** “C-2 AHOD” Commercial Airport Hazard Overlay District

**Requested Zoning:** “C-2 S AHOD” Commercial Airport Hazard Overlay District with a Specific Use for a Carwash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 18, 2025.

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Emerge Properties of SA, LLC

**Applicant:** Lonestar Builders c/o Dallas Hakes and Brandon Denison

**Representative:** Lonestar Builders c/o Dallas Hakes and Brandon Denison

**Location:** 15015 Jones Maltsberger Road

**Legal Description:** Lot 15, Block 1, NCB 16797

**Total Acreage:** 0.6226 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** Oak Hollow Park Neighborhood Association

**City-Wide Community Organizations:** T.H.U.G.G.I.N. for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous

**Applicable Agencies:** Office of Historic Preservation, Aviation, Planning Department

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 41429, dated December 25, 1972, and zoned Temporary "R-1" Single-Family Residence District. The southwestern portion of the property was rezoned by Ordinance 49829, dated September 21, 1978, to "B-3R" Restrictive Business District and northeastern to "B-2" Business District. The southwestern portion of the property was rezoned by Ordinance 60408, dated March 14, 1985, from "B-3R" Restrictive Business District to "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2" Business District converted to the current "C-2" Commercial District.

**Code & Permitting Details:** There is no code enforcement of permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Single-Family Dwellings

**Direction:** South

**Current Base Zoning:** "R-6," "C-2," "C-3"

**Current Land Uses:** Bank, Convenience Store and Gas Station, Restaurant, Coffee Shop

**Direction:** East

**Current Base Zoning:** "R-6," "C-2," "C-3"

**Current Land Uses:** Urgent Care, Beauty Salons

**Direction:** West

**Current Base Zoning:** "C-2," "C-3"

**Current Land Uses:** Restaurant, Day Care Center, Turf Supplier, Window Installation Center, Concrete Contractor, Craft Store, Business Center

### **Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require

additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** Jones Maltsberger Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known.

**Thoroughfare:** Thousand Oaks Drive

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 502

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for a car wash is 1 space per 500 sf GFA including service bays, wash tunnels, and retail areas and the maximum parking requirement is 1 space per 375 sf GFA including service bays, wash tunnels, and retail areas.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “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.

Proposed Zoning: “C-2 S” 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 is to permit a Carwash.

**FISCAL IMPACT:**

None.

**PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:**

Subject property is not located within a Regional Center or within ½ a mile from 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 approval criteria below.

1. **Consistency:** The subject property is located within the North Sector Plan, adopted in August 2010, and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “C-2 S” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is inconsistent with the established development pattern of the surrounding area. Surrounding properties are “R-6” Residential Single-Family District, “C-2” Commercial District, and “C-3” General Commercial District.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2 S” Commercial District is not an appropriate. Staff has concerns that the proposed use for a carwash is inappropriately located abutting established single-family residential dwellings. There is limited space for an appropriate buffer between the vacuums and machines from the established homes. There is no adequate buffering to protect nearby residents from noise and carwash traffic and car queuing areas.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. There may be issues with noise and high traffic volume abutting single-family homes.
5. **Public Policy:** The request does appear to conflict with any public policy. Relevant Goals and Policies of the North Sector Plan may include:
  - **Land use Strategy LU-1.1:** Locate buffers between high density/intensity land uses that are potentially incompatible.
  - **Land use Strategy LU-6.5:** Encourage development that is visually and functionally compatible with its surrounding neighborhoods by maintaining a massing and density of development that is compatible with adjacent developed neighborhoods.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- **GCF Goal 5:** Growth and city form support improved livability in existing and future neighborhoods.
- **GCF Goal 7:** Development practices that minimize, mitigate or avoid negative impacts on the city's natural resources, water supply, water quality, surface waterways and air quality.

6. **Size of Tract:** The 0.6226 acre site is not of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** 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 applicant is rezoning to develop a car wash.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.