



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 7, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**  
ZONING CASE Z-2024-10700034 CD

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 7, 2024

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** Georges Daau

**Applicant:** Law Office of EAR PLLC

**Representative:** Law Office of EAR PLLC

**Location:** 5538 Hayden Drive

**Legal Description:** Lot 270, Block 11, NCB 15627

**Total Acreage:** 0.2106 acres

### **Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Lackland AFB, Planning Department

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 41419, dated December 26, 1972, and was originally zoned Temporary "R-1" Single-Family Residence District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned Temporary "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

### **Code & Permitting Details:**

There are no code or permitting details for the subject property.

**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:** "MF-33", "C-3R"

**Current Land Uses:** Vacant

**Direction:** East

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

**Current Land Uses:** Motor Vehicle Sales, Residential dwelling units

**Direction:** South

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

**Current Land Uses:** Residential dwelling units

**Direction:** West

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

**Current Land Uses:** Church

### **Overlay District Information:**

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.

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:**

None

**Transportation**

**Thoroughfare:** Hayden Drive

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Old Pearsall Road

**Existing Character:** Principal Secondary Arterial A

**Proposed Changes:** None

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

**Routes Served:** 614, 619

**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 Motor Sales (Full Service) is 1 parking space per 500 sf GFA of sales and service building.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family Districts allow for Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: "C-2 CD" Commercial District accommodates 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 proposed "CD" Conditional Use would allow Motor Vehicle Sales (Full Service).

**FISCAL IMPACT:**

None

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

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, with Conditions.

If recommended for Approval, staff recommends Conditions:

- 1) A 6-foot solid screen fence abutting residential zoning and/or uses.
- 2) A 15-foot landscape buffer along the side of the property abutting residential zoning and/or uses.
- 3) No temporary signs, bandit signs, snipe signs or wind-wavers.

**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 United Southwest Communities Plan, adopted June 2011, and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2 CD” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. Surrounding zoning includes “C-2NA” Commercial Nonalcoholic Sales, “C-3R” General Commercial Restrictive Alcoholic Sales, and “C-2” Commercial District.
3. **Suitability as Presently Zoned:** The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for Motor Vehicle Sales (Full Service) is a more appropriate zoning district for the subject property. The property fronts a primary arterial and is placed and sized to adequately accommodate the proposed car sales use. The “CD” Conditional Use requires a site plan that will hold the applicant to the proposed layout of the development. Deviation from the approved document could warrant the need for additional Council consideration.
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 request does not appear to conflict with any public policy objective. Relevant Goals and Objectives from the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
  - JEC Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.

Relevant Goals and Policies of the United Southwest Communities plan:

- GOAL 1: Economic Development - Attract new businesses, services and retail establishments to the United Southwest Communities.
- Objective 1.1: Commercial Development Implement strategies to attract commercial development.

6. **Size of Tract:** The subject property is 0.2106 acres, which can reasonably accommodate the proposed commercial development.
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 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.

The applicant is rezoning to allow for Motor Vehicle Sales.

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