



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 7, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2023-10700282 S

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "C-2 S MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Specific Use Authorization for a Carwash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 7, 2023

**Case Manager:** Adolfo Gonzalez, Zoning Planner

**Property Owner:** JEMCO Holdings Inc.

**Applicant:** JEMCO Holdings Inc.

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

**Location:** Generally located in the 5500 block of US Highway 87

**Legal Description:** 2.709 acres out of NCB 16198

**Total Acreage:** 2.709

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Lakeside Neighborhood Association

**Applicable Agencies:** Parks Department, Martindale Army Air Field, TxDOT

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 64023, dated December 28, 1986, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 70570, dated November 9, 1989, to "B-3" Business District. The property was rezoned by Ordinance 93629, dated March 19, 2001 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 or permitting history for the subject property.

**Topography:** A portion of subject property is located with the 100 Year Flood Plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** L

**Current Land Uses:** Glass & Aluminum

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Gas Station

**Direction:** South

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

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Vacant

**Overlay District Information:**

The "MLOD-3" Martindale Army Airfield 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.

**Special District Information**

None.

**Transportation**

**Thoroughfare:** US Highway 87

**Existing Character:** Primary Arterial A

**Proposed Changes:** None known.

**Thoroughfare:** Lakefront Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There is public transportation within walking distance of the subject property.

**Routes Served:** 30

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for a carwash is 1 space per 500 sf GFA including service bays, wash tunnels and retail areas. The maximum parking requirement for a carwash 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 Specific Use Authorization would permit the use of a Carwash.

**FISCAL IMPACT:**

None.

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

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

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**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 Southeast Community Area Plan, adopted December 15, 2022, and is currently designated as "Urban Mixed Use" 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 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.
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 with a Specific Use for a Carwash is also an appropriate zoning for the property. The subject property is located along US Highway 87 Frontage Road and would function as buffer between the arterial road, existing gas station and the established residential neighborhoods to the south. The proposed "C-2" Commercial District maintains the base zoning and the "S" Specific Use Authorization allows consideration of a Carwash. The applicant provided a prescribed site plan which indicates the use of the property and structures. Any major amendments to the site plan will require additional zoning consideration. Additionally, the Specific Use Authorization may require additional conditions such as: additional buffers/landscape, fencing, signage limitations, hours of operation and other similar stipulations.
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.

Relevant Goals and Policies of the Comprehensive Plan may include:

- 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 Strategies of the Southeast Community Area Plan may include:

- Goal 1: Implement land use policies that promote compatible adjacency, mixed-use opportunities, and commercial centers that provide a variety of uses.
- Goal 5: Attract new and retain existing businesses that provide a variety of shopping, healthy food and quality dining options, entertainment, and services that support all residents and expand economic and employment opportunities for the local workforce.

6. **Size of Tract:** The 2.709 acre site is of sufficient size to accommodate the proposed commercial development.

7. **Other Factors:** The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were 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 applicant is rezoning to develop a Carwash.