



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 20, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2024-10700156 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 Authorization for a Carwash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 20, 2024

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

**Property Owner:** Sky Shopping LLC

**Applicant:** Charles Riley

**Representative:** Ethan Stein

**Location:** 2815 Southeast Military Drive

**Legal Description:** Lot 2, Block 2, NCB 10979

**Total Acreage:** 1.5070 acres

**Notices Mailed****Owners of Property within 200 feet:** 11**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association**Applicable Agencies:** TxDOT**Property Details**

**Property History:** The subject property was annexed into the city by Ordinance 18115, dated September 25, 1952, and was originally zoned "B" Residence District. The property was rezoned by Ordinance 34688, dated August 4, 1966, to "R-3" Multiple-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, "R-3" Multiple-Family Residence District converted to "MF-33" Multi-Family Residential District. The property was rezoned by Ordinance 2020-09-03-0616, dated September 3, 2020, to the current "C-2" Commercial District.

**Code & Permitting Details:**

There is no code enforcement or permitting history for the subject property.

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

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "MF-33"**Current Land Uses:** Apartments**Direction:** East**Current Base Zoning:** "MH", "C-2"**Current Land Uses:** Apartments**Direction:** South**Current Base Zoning:** "C-3"**Current Land Uses:** Food Service Establishments**Direction:** West**Current Base Zoning:** "IDZ-2"**Current Land Uses:** Food Service Establishments**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:** Southeast Military Drive

**Existing Character:** Principal Primary Arterial A

**Proposed Changes:** None

**Thoroughfare:** South New Braunfels Avenue

**Existing Character:** Minor Primary Arterial B

**Proposed Changes:** None

**Public Transit:** There is no public transit within walking distance of the subject property.

**Routes Served:** None

**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 Carwash is 1 per 500 sf GFA including service bays, wash tunnels and retail areas.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "C-2" 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.

Proposed Zoning: "C-2 S" 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 "S" Specific Use Authorization is for a Carwash.

**FISCAL IMPACT:**

None

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

The subject property is located within the Brooks Regional Center and within a ½ mile of the New Braunfels Avenue Metro Premium Plus and Looper Premium Metro 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 approval criteria below.

1. **Consistency:** The subject property is located within the Brooks Area Regional Center Plan, adopted in 2019, 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. Zoning includes "IDZ-2" for uses permitted in "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 with a Specific Use Authorization for a Carwash is also appropriate. The subject property is surrounded by commercial districts and fronts a primary arterial making it appropriate in size and placement for commercial development consistent with the area. Additionally, the wash tunnel and service bays will be located towards the front of the property, away from the multi-family units that are abutting at the rear. Furthermore, the applicant would have to adhere to the prescribed site plan required for a Specific Use Authorization. Any deviation from the approved document could potentially warrant 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 appear to conflict with any public policy objectives. 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 P1: Incentivize the development of housing and employment uses in the city's priority growth areas.
  - GCF P5: Invest in needed amenities and infrastructure that will facilitate higher-density development in the city's priority growth areas.
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.
  - 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 Objectives of the Brooks Area Regional Center Plan may include:

- Goal 3: Reinvestment, Retention, & Responsibility
  - o Honor the history of innovation and technology by supporting incubators, start-ups, and local business.

6. **Size of Tract:** The 1.5070-acres site is of sufficient size to accommodate the proposed residential 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 Carwash.