



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 5, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700158 CD

**SUMMARY:**

**Current Zoning:** "C-2NA MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2024

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

**Property Owner:** Ruben Carlos Gallegos

**Applicant:** Homero Delacruz

**Representative:** Homero Delacruz

**Location:** 6407 West Commerce Street

**Legal Description:** Lot 139, NCB 11997

**Total Acreage:** 0.4150

**Notices Mailed****Owners of Property within 200 feet:** 26**Registered Neighborhood Associations within 200 feet:** Los Puentes Neighborhood Association**Applicable Agencies:** Lackland AFB, Solid Waste Management, Office of Historic Preservation, Planning Department**Property Details**

**Property History:** The subject property was annexed into the city by Ordinance 18115, dated September 25, 1952, and was originally zoned "A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District converted to "R-5" Residential Single-Family District. The property was rezoned by Ordinance 2021-08-05-0547, dated August 5, 2021, to "C-2NA" Commercial Nonalcoholic Sales District.

**Code & Permitting Details:**

Commercial Project Application (COM-PRJ-APP24-39801588) July 2024

**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-5"**Current Land Uses:** Single Family Dwellings**Direction:** East**Current Base Zoning:** "C-2"**Current Land Uses:** Retail**Direction:** South**Current Base Zoning:** "C-3 R", "R-6"**Current Land Uses:** Auto Repair Shop, Single Family Dwelling**Direction:** West**Current Base Zoning:** "C-3NA"**Current Land Uses:** Auto Repair Shop**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:** West Commerce Street

**Existing Character:** Minor Secondary Arterial A

**Proposed Changes:** None

**Thoroughfare:** North Acme Road

**Existing Character:** Local Secondary Arterial B

**Proposed Changes:** None

**Thoroughfare:** Parham Avenue

**Existing Character:** Local

**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 Auto and Light Truck Repair is 1 space per 500 sf GFA including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay.

**ISSUE:**

None

**ALTERNATIVES:**

**Current Zoning:** "C-2NA" Commercial Nonalcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

**Proposed Zoning:** "C-2 CD" 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 "CD" Conditional Use is for Auto and Light Truck Repair.

**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 Plus 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 West/Southwest Sector Plan, adopted in 2011, and is currently designated as "General Urban Tier" 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. Surrounding zoning designations include "C-2" Commercial District, "R-5" Residential Single-Family District, and "C-3NA" General Commercial Nonalcoholic Sales District.
3. **Suitability as Presently Zoned:** The current "C-2NA" Commercial Nonalcoholic Sales District is an appropriate zoning for the property and the surrounding area. The proposed "C-2 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair is also appropriate. There are similar uses within proximity, and the property is appropriately located along a minor secondary arterial that can accommodate traffic. The applicant will have to adhere to the prescribed site plan required for Conditional Use zoning, and any deviation from the approved document could potentially warrant additional council consideration.
4. **Health, Safety and Welfare:** Staff has 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 objective. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:
  - GCF Goal 1 Higher Density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - H P30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Objectives of the West/Southwest Sector Plan may include:

- Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses

- LU-1.1: Limit encroachment of commercial uses into established low-density residential areas
- LU-1.3: Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby
- Goal LU-3: 3 Existing corridors are transformed and new corridors are carefully planned to create dynamic, mixed-use, pedestrian oriented nodes that are integrated into the surrounding community

**6. Size of Tract:** The 0.4150-acres site is of sufficient size to accommodate the proposed 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 develop an Auto Repair Shop.

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