



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 25, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**  
ZONING CASE Z-2023-10700341 CD

**SUMMARY:**  
**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** December 19, 2023

**Case Manager:** Joseph Leos, Zoning Planner

**Property Owner:** Dehgan Roushan

**Applicant:** Dehgan Roushan

**Representative:** Jesse Zuniga

**Location:** 5302 La Cima

**Legal Description:** Lot 6, Block 2, NCB 14159

**Total Acreage:** 0.345

**Notifications**

**Notices Mailed:** 9

**Registered Neighborhood and Community Associations:** N/A

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 41425, dated December 25, 1972, and zoned "B-1" Business District. The property was rezoned by Ordinance 71235, dated March 15, 1990, 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:** 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:** Multi-Family

**Direction:** West

**Current Base Zoning:** "C-2", "MF-33"

**Current Land Uses:** Parking lot, Multi-Family

**Direction:** East

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

**Current Land Uses:** Movie Theater

**Direction:** South

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

**Current Land Uses:** Retail Store

**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:** La Cima**Existing Character:** Local**Proposed Changes:** None Known**Thoroughfare:** Glen Ridge**Existing Character:** Local**Proposed Changes:** None Known**Public Transit:** There is public transit within walking distance of the subject property.**Routes Served:** 607**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 Motor Vehicle Sales is 1 per 500 square feet of sales and service building.**Proximity To Regional Center/Premium Transit Corridor:** The subject property is located with the Medical Center Regional Center and within ½ a mile from the Premium Transit Corridor.**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 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.

If approved, the “CD” Conditional Use would permit motor vehicles sales.

**FISCAL IMPACT:**

None.

**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 the approval criteria below.

**1. Consistency:** The subject property is located within the Medical Center 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 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.

**3. Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The requested “C-2 CD” Commercial District with a Conditional Use for Motor Vehicles Sales is also an appropriate. The subject property is on the corner of two local streets making it an ideal location for slightly more intense commercial uses. The proposed “C-2 CD” Commercial District with a Conditional Use for Motor Vehicle Sales maintains the base zoning district and the Conditional Use allows for the motor vehicle sales, a use conditioned down from the “C-3” General Commercial District.

**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 objectives 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.
- JEC Goal 2: Traditional and targeted growth industries support San Antonio’s diversified economy and provide a wide range of job opportunities.

Relevant goals of the Medical Center Area Regional Center Plan may include:

- Goal 3-2: Encourage vibrant, accessible, mixed-use activity nodes that serve the needs of the surrounding neighborhoods for area workers and visitors.

**6. Size of Tract:** The 0.345 acre site is of sufficient size to accommodate the proposed commercial development.

**7. Other Factors:** 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 a motor vehicles sales business.

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

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation. There are historic age structures present on these properties. A 30-day review period is required for demolition.