



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 17, 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-2024-10700245 CD

**SUMMARY:**

**Current Zoning:** "NC MLOD-3 MLR-2" Neighborhood Commercial Martindale Military Lighting Overlay Military Lighting Region 2 District

**Requested Zoning:** "C-1 CD MLOD-3 MLR-2" Light Commercial Martindale Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Auto and Light Truck Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2024

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

**Property Owner:** Guillermo Raygoza

**Applicant:** Guillermo Raygoza

**Representative:** Guillermo Raygoza

**Location:** 1762 Rigsby Avenue

**Legal Description:** The south 150 feet of Lot 16, Block 2, NCB 7521

**Total Acreage:** 0.168 acres

**Notices Mailed****Owners of Property within 200 feet:** 23**Registered Neighborhood Associations within 200 feet:** N/A**City-Wide Community Organizations:** T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous**Applicable Agencies:** Martindale Airfield**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1256, dated August 3, 1944, and zoned "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "J" Commercial District converted to "I-1" General Industrial District. The property was rezoned by Ordinance 2009-12-03-0993, dated December 3, 2009, to the current "NC" Neighborhood 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 inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "C-2", "I-1"**Current Land Uses:** Gas Station, Auto Repair Shop**Direction:** East**Current Base Zoning:** "C-2", "R-4"**Current Land Uses:** Muffler Shop, Food Service Establishment, Single-Family Dwellings**Direction:** South**Current Base Zoning:** "R-6"**Current Land Uses:** Single-Family Dwellings**Direction:** West**Current Base Zoning:** "NC", "R-6"**Current Land Uses:** Vacant, Single-Family Dwelling**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:**

N/A

**Transportation****Thoroughfare:** Rigsby Avenue**Existing Character:** Minor**Proposed Changes:** None Known**Thoroughfare:** Roland Avenue**Existing Character:** Principal Primary Arterial A**Proposed Changes:** None Known**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.**Routes Served:** 30, 230, 28**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 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: "NC" Neighborhood Commercial District provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

Proposed Zoning: "C-1 CD" Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. 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:**

Subject property is not located within a Regional Center or within ½ a mile from a 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 Southeast Community Area Plan, adopted in 2022, and is currently designated as "Neighborhood Mixed Use" in the future land use component of the plan. The requested "C-1" 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 properties are zoned "C-2" Commercial District and "NC" Neighborhood Commercial District.
3. **Suitability as Presently Zoned:** The existing "NC" Neighborhood Commercial District is an appropriate zoning for the property and surrounding area. The proposed "C-1 CD" Light Commercial District with a Conditional Use for Auto and Light Truck Repair is also appropriate. The applicant is requesting to rezone to develop an auto repair garage. There are similar uses within proximity, making the proposed use consistent with what is currently in the area. Additionally, the applicant will have to adhere to a prescribed site plan and 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 not appear to conflict with any public policy objectives. Relevant Goals and Policies of the Southeast Community Area Plan may include:
  - Goal 1: Land Use - Implement land use policies that promote compatible adjacency, mixed-use opportunities, and commercial centers that provide a variety of uses.
6. **Size of Tract:** The 0.168-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 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 garage.

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