



City of San Antonio

Agenda Memorandum

Agenda Date: November 7, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:

ZONING CASE Z-2024-10700212 CD
(Associated Plan Amendment PA-2024-11600063)

SUMMARY:

Current Zoning: "C-2" Commercial District

Requested Zoning: "C-2 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 1, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: JAJ Capital LLC

Applicant: Bazan Family Holdings Inc dba ATL Total Car Care

Representative: Veronica Bazan

Location: 5650 Cliffbrier Drive

Legal Description: Lot 1, Block 1, NCB 15097

Total Acreage: 1.0150 acres

Notices Mailed**Owners of Property within 200 feet:** 30**Registered Neighborhood Associations within 200 feet:** Great Northwest Homeowner's Association**Applicable Agencies:** Planning Department**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 68800, dated March 25, 1989, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 71383, dated April 12, 1990, to "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "B-2" Business District converted to the current "C-2" Commercial District.

Code & Permitting History:

Zoning UDC Investigation – Auto Repair (23432685) April 2020

Zoning UDC Investigation – Auto Repair (INV-ZCD-21-3140001738) April 2021

Zoning UDC Investigation – Auto Repair (INV-ZCD-22-3140001768) July 2022

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:** "R-6"**Current Land Uses:** Single Family Dwellings**Direction:** East**Current Base Zoning:** "C-2", "C-3R"**Current Land Uses:** Shopping Center, Convenient Store**Direction:** South**Current Base Zoning:** "C-3R"**Current Land Uses:** Shopping Center**Direction:** West**Current Base Zoning:** "C-2", "R-6"**Current Land Uses:** Middle School, Shopping Center**Overlay District Information:**

None

Special District Information:

None

Transportation

Thoroughfare: Cliffbrier Drive

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Culebra Road

Existing Character: Principal Primary Arterial A

Proposed Changes: None Known

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

Routes Served: 610

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-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.

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 with a Regional Center but is within ½ a mile from the Huebner-Grissom Metro Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial. Zoning Commission 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 Northwest Community Plan, adopted in 2011, and is currently designated as "Low Density Residential" in the future land use component of the plan. The requested "C-2" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Community Commercial". Staff recommends Denial. Planning Commission recommends Approval.
2. **Adverse Impacts on Neighboring Lands:** Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. Surrounding properties are zoned "R-6" Residential Single-Family District, "C-2" Commercial District, and "C-3R" General Commercial Restrictive Alcoholic Sales 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 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair is not appropriate. Common land use principles recommend that more intense commercial uses be kept along main arterials away from residential uses. Given the proximity to single-family residential uses, staff finds that the property does not meet the locational criteria for the high intense commercial use of auto repair. The existing zoning district permits more suitable commercial options that will not negatively impact the abutting residences.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. The proposed auto repair can create noise and other possible nuisances to neighboring properties.
5. **Public Policy:** The request does not appear to conflict with any public policy objectives. Relevant Goals and Policies of the Comprehensive Plan may include:
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - GCF Goal 6: Growth and city form support community health and wellness.
 - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
 - H P30: Ensure infill development is compatible with existing neighborhoods.
 -Relevant Goals and Policies of the Northwest Community Plan may include:
 - Goal-2: Encourage commercial development at nodes
 - Strategies 2:7 Encourage appropriate commercial development and uniform signage at major arterials and neighborhood nodes

- Economic Development Goal 2 - Ensure the Near NW Community's business corridors are filled with a mix of uses including professional offices, residences and busy shops, providing neighbors an attractive place to walk for shopping, playing, working and relaxing both day and night.
- Business Development Objective 2.2 - Create opportunities for new business development to ensure a diversity of attractive businesses in pedestrian friendly environments.
- Action Step 2.2.2 Encourage new business development to locate in existing commercial areas in need of revitalization and promote existing business enhancement.
- Action Step 2.2.4 Discourage certain businesses from locating within the planning area including day labor sites, pawn shops, tattoo parlors, dollar-type stores, used car sales and additional auto-repair stores.

6. Size of Tract: The 1.0150-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 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.