



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 20, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2024-10700023 CD

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial 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 Motor Vehicle Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 21, 2024

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

**Property Owner:** Norma J Vela

**Applicant:** Norma J Vela

**Representative:** Norma J Vela

**Location:** 7150 New Laredo Highway

**Legal Description:** Lots 68 and 151, Block 1, NCB 11253

**Total Acreage:** 0.4891 acres

**Notices Mailed****Owners of Property within 200 feet:** 23**Registered Neighborhood Associations within 200 feet:** None**Applicable Agencies:** Lackland, Planning Department, and TxDOT**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and was originally zoned “B” Residence District. A portion of the property was rezoned by Ordinance 40623, dated April 20, 1972, to “B-3” Business District. The property was rezoned by Ordinance 93308, dated January 25, 2001, to “B-2” Business District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned “B-2” Business District converted to the current “C-2” Commercial District.

**Code & Permitting Details:**

Certificate of Occupancy (2013506-1851595) January 2013

Commercial Project Application (COM-PRJ-APP23-39802693) October 2023

Permit Investigation (INV-PBP-23-3100003352) October 2023

Administrative Hearing (COD-ADH-REQ24-43900215) January 2024

Complaint (INV-COM-INV23-22705104) October 2023

Zoning UDC Investigation (INV-ZPS-23-3160002132) October 2023

Permit Investigation (INV-COI-24-3120002298) April 2024

Permit Investigation (INV-PBP-23-3100003398) October 2023

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

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** “C-2”**Current Land Uses:** Mobile Homes, Commercial Building**Direction:** East**Current Base Zoning:** “C-2NA”, “RM-4”**Current Land Uses:** Auto Repair Shop, Residential dwelling units**Direction:** South**Current Base Zoning:** “RM-4”**Current Land Uses:** Residential dwelling units**Direction:** West**Current Base Zoning:** “C-2”**Current Land Uses:** Auto Repair Shop, Office Warehouse

**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:** New Laredo Highway

**Existing Character:** Principal Secondary Arterial Type A

**Proposed Changes:** None

**Thoroughfare:** Briggs Avenue

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance of the subject property.

**Routes Served:** 524, 515, 102, 251

**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 Motor Sales is 1 parking space per 500 sf GFA of sales and service building.

**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 CD" 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 proposed "CD" Conditional Use would allow Motor Vehicle Sales on the property.

**FISCAL IMPACT:**

None

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

The subject property is not located within a Regional Center but is within a ½ mile of the General McMullen-Babcock and Looper Premium Metro Premium Transit Corridor.

**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 approval criteria below.**

1. **Consistency:** The subject property is located within the West/Southwest Sector Plan, adopted April 21, 2011, and is currently designated as "Suburban Tier" 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. Surrounding zoning includes "C-2" Commercial, "C-2NA" Commercial Nonalcoholic Sales and "RM-4" Residential Single-Family Districts.
3. **Suitability as Presently Zoned:** The current "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 Motor Vehicle Sales is also appropriate. The property fronts a primary arterial and is placed and sized to adequately accommodate the proposed development. The existing building and flatwork will accommodate the proposed use, and the "CD" Conditional Use site plan will prevent expansion of the structure. Deviation from the approved document could warrant the need for 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 objective. Relevant Goals and Objectives from the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

- 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 Policies of the West/Southwest Sector Plan:

- Goal ED-1 The West/Southwest Sector is an economically sustainable community in which residents have a variety of employment opportunities.
  - o ED-1.3 Stimulate and support increased activity of existing businesses
- Goal ED-3 The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods.

- 6. Size of Tract:** The subject property is 0.4891 acres, which can reasonably accommodate the proposed commercial 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 allow for Motor Vehicle Sales.

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