



City of San Antonio

Agenda Memorandum

Agenda Date: December 3, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2024-10700267 CD

SUMMARY:

Current Zoning: "C-2 CD MLOD-3 MLR-1" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for Auto Paint and Body-Repair with Outside Storage of Vehicles and Parts Permitted by Totally Screened from View of Adjacent Property Owners and Public Roadways

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 3, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Jaime Hernandez

Applicant: Jaime Hernandez

Representative: Vanessa Hernandez

Location: 1241 South WW White Road

Legal Description: Lot 29, NCB 10734

Total Acreage: 06513 acres

Notices Mailed

Owners of Property within 200 feet: 19

Registered Neighborhood Associations within 200 feet: Dellcrest Area Neighborhood Association

Applicable Agencies: Martindale Airfield, Planning Department, TxDOT

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned "F" Local Retail District. The property was rezoned by Ordinance 26386, dated July 15, 1971, to "JJ" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "JJ" Commercial District converted to "I-1" General Industrial District. The property was rezoned by Ordinance 2017-12-07-0958, dated December 7, 2017, to the current "C-2CD" Commercial District with a Conditional Use for Auto Paint and Body.

Code & Permitting Details

Code Annual Permit Registration Application – Scrap Tire Facility (CODE-CAP-APP24-46400559) October 2024

Permit Investigation – COO (INV-COI24-3120003175) June 2024

Code Annual Permit Registration Application – Scrap Tire Transporter (CODE-CAP-APP24-46400560) October 2024

Certificate of Occupancy Application – Jaime's Tire & Muffler (COO-APP24-37601386) June 2024

Vehicle Investigation – ROW Obstruction (INV-ROW-24-2790012954) August 2024

Vehicle Investigation – ROW Obstruction (INV-ROW-23-2790004209) February 2023

Licensing Investigation – Scrap Tire (INV-LIC-24-2970001982) June 2024

Vehicle Investigation – ROW Obstruction (INV-ROW-23-2790012224) July 2023

Licensing Investigation – Scrap Tire (INV-SCT-INV24-3040002008) June 2024

Vehicle Investigation – ROW Obstruction (INV-ROW-23-2790010229) May 2023

Certificate of Occupancy – Jaime's Tire & Muffler (COO-NOCONST24-37901062) October 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: "C-2 CD", "C-2", "MF-33

Current Land Uses: Vehicle Storage, Commercial Offices, Apartments

Direction: East

Current Base Zoning: "C-3NA", "C-2"

Current Land Uses: Collision Center, Parking Lot

Direction: South

Current Base Zoning: "I-1", "C-2"

Current Land Uses: Contractor Facility, Single Family Dwellings

Direction: West

Current Base Zoning: "R-5"

Current Land Uses: Single Family Dwellings

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: South WW White Road

Existing Character: Principal Primary Arterial Type A

Proposed Changes: None Known

Public Transit: There are VIA bus routes within a ½ mile of the subject property.

Routes Served: 552, 28, 26, 225

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: "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 Paint and Body.

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 within a Regional Center but is within ½ a mile from the Looper Premium Metro 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 Eastern Triangle Community Plan, adopted in 2009, and is currently designated as "High Density Mixed Use" 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 properties are zoned "C-2" Commercial District, "C-2 CD" Commercial District with a Conditional Use for Auto Paint and Body, "C-3NA" General Commercial Nonalcoholic Sales District, "R-5" Residential Single-Family District, and "I-1" General Industrial District.
3. **Suitability as Presently Zoned:** The existing "C-2 CD" Commercial District with a Conditional Use for Auto Paint and Body 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 also appropriate. The property owner currently provides auto repair services permitted within the "C-2" base zoning district. They are wanting to rezone to also permit mechanical repair. The surrounding area is comprised of other commercial uses and zones making the proposal consistent with what is present in the area. Additionally, given that the property is located in front of a principal primary Arterial, staff finds that it meets the locational requirements to accommodate traffic. The applicant will have to adhere to the prescribed site plan required for Conditional Use, 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 North Sector Plan may include:
 - Goal 8: Thriving commercial corridors.
 - Goal 9: Diverse businesses and services.
6. **Size of Tract:** The 0.6513-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.

One access may be allowed along SL 13 (WW White Rd. TXDOT coordination would be required.

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 permit the use of Auto and Light Truck Repair.

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