



City of San Antonio

Agenda Memorandum

Agenda Date: August 20, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2024-10700158

SUMMARY:

Current Zoning: "C-2NA MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "IDZ-2 MLOD-2 MLR-1 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with uses permitted for Auto and Light Truck Repair and Wrecker Service

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 20, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Ruben Gallegos

Applicant: Homero De la cruz

Representative: Homero De la cruz

Location: 6407 West Commerce Street

Legal Description: Lot 139, NCB 11997

Total Acreage: 0.4150 acres

Notices Mailed**Owners of Property within 200 feet:** 26**Registered Neighborhood Associations within 200 feet:** Los Puentes Neighborhood Association**Applicable Agencies:** Office of Historic Preservation, Planning Department, Solid Waste Management Department, Lackland AFB**Property Details**

Property History: The subject property was annexed into the city by Ordinance 18115, dated September 25, 1952, and was originally zoned "A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District converted to "R-5" Residential Single-Family District. The property was rezoned by Ordinance 2021-08-05-0547, dated August 5, 2021, to "C-2NA" Commercial Nonalcoholic Sales District.

Code & Permitting Details:

Commercial Project Application (COM-PRJ-APP24-39801588 – Site Work) July 2024

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-5"**Current Land Uses:** Single Family Dwellings**Direction:** East**Current Base Zoning:** "C-2"**Current Land Uses:** Retail**Direction:** South**Current Base Zoning:** "C-3 R", "R-6"**Current Land Uses:** Auto Repair Shop, Single Family Dwelling**Direction:** West**Current Base Zoning:** "C-3NA"**Current Land Uses:** Auto Repair Shop**Overlay District Information:**

The "MLOD-1" Camp Bullis 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: West Commerce Street

Existing Character: Minor Secondary Arterial A

Proposed Changes: None

Thoroughfare: North Acme Road

Existing Character: Local Secondary Arterial B

Proposed Changes: None

Thoroughfare: Parham Avenue

Existing Character: Local

Proposed Changes: None

Public Transit: There is no public transit within walking distance of the subject property.

Routes Served: None

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: The "IDZ-2" base zoning district would waive the minimum parking requirement by 50%. 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-2NA" Commercial Nonalcoholic District is identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: "IDZ-2" Medium Intensity Infill Development Zone allows rezoning requests up to 50 units per acre, and uses permitted in "C-2" and "O-1.5". All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The uses permitted by the "IDZ-2" base zoning district would be for Auto and Light Truck Repair and Wrecker Service.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of a Premium Plus Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial.

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 in 2011, and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "IDZ-2" base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does find 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 zoning designations include "C-2" Commercial District, "R-5" Residential Single-Family District, and "C-3NA" General Commercial Nonalcoholic Sales District.
3. **Suitability as Presently Zoned:** The current "C-2NA" Commercial Nonalcoholic Sales District is an appropriate zoning for the property and the surrounding area. The proposed "IDZ-2" Medium Intensity Infill Development Zone with uses permitted for Auto and Light Truck Repair and Wrecker Service is not appropriate. The subject property is adjacent to established single-family use. While auto repair uses are in the area and abut other commercial zoned properties, industrial uses such as wrecker services would be out of character and negatively impact the abutting residential use. Staff finds the existing "C-2NA" Commercial Nonalcoholic Sales District would permit suitable uses that would better service the area.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with any public policy objective. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:
 - GCF Goal 1 Higher Density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - H P30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Objectives of the West/Southwest Sector Plan may include:

- Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses
- LU-1.1: Limit encroachment of commercial uses into established low-density residential areas
- LU-1.3: Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby
- Goal LU-3: 3 Existing corridors are transformed and new corridors are carefully planned to create dynamic, mixed-use, pedestrian oriented nodes that are integrated into the surrounding community

6. **Size of Tract:** The 0.4150-acres site is of sufficient size to accommodate the proposed 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 applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

The proposed commercial development at 6407 West Commerce Street does not meet City ordinance requirements and is not eligible for City provided waste collection services. Recommend the owner secures procurement dumpster services.