



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 17, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**

ZONING CASE Z-2024-10700189 CD

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-2 MLR-1 AHOD" General 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 Auto Paint and Body

**BACKGROUND INFORMATION:**

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

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** 6725 West 90, LLC

**Applicant:** Raymond M. Perez

**Representative:** Oswaldo F. Sotelo

**Location:** 6725 West US Highway 90

**Legal Description:** Lot 38, Block 18, NCB 16528

**Total Acreage:** 0.2893

**Notices Mailed****Owners of Property within 200 feet:** 13**Registered Neighborhood Associations within 200 feet:** NA**Applicable Agencies:** Lackland Air Force Base, Planning Department, Texas Department of Transportation**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 43495, dated April 22, 1974, and zoned Temporary "R-1" Single-Family Residential District. The property was rezoned by Ordinance 46229, dated January 15, 1976, and zoned "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

**Code & Permitting Details:**

Zoning UDC Investigation – INV-ZCD-24-3140001997 – July 2024

Permit Investigation – INV-COI-24-3120003905 – July 2024

Zoning UDC Investigation – INV-ZCD-24-3140000629 – March 2024

Certificate of Occupancy Application – COO-APP24-37600625 – March 2024

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

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** MF-33, R-6**Current Land Uses:** Hotel, Apartments**Direction:** South**Current Base Zoning:** UZROW**Current Land Uses:** US Highway 90**Direction:** East**Current Base Zoning:** C-3, R-6,**Current Land Uses:** Car Dealer, Vacant**Direction:** West**Current Base Zoning:** C-3, R-6**Current Land Uses:** Hotel, Gas Station**Overlay District Information:**

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.

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.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** West US Highway 90

**Existing Character:** Interstate

**Proposed Changes:** None known

**Thoroughfare:** Pinn Road

**Existing Character:** Collector

**Proposed Changes:** None known

**Public Transit:** There are VIA transit options within a ½ mile of the subject property.

**Routes Served:** 612, 64, 76, 276,

**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. The maximum parking requirement is 1 space per 375 sf GFA including service bays, wash tunnels and retail areas.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

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 Conditional Use would permit Auto Paint and Body – Repair With Outside Storage Of Vehicles And Parts Permitted But Totally Screened From View Of Adjacent Property Owners And Public Roadways.

**FISCAL IMPACT:**

None

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

The subject property is not located within a Regional Center but is within ½ a mile from the Commerce-Houston 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 in 2011, and is currently designated as “Suburban Tier” 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-3” General Commercial District and “R-6” Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing “C-3” General 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 Paint and Body is also appropriate. The proposed rezoning from “C-3” General Commercial District to “C-2” Commercial District is considered a downzoning, removing high intense commercial uses which can negatively impact surrounding residential uses. The “CD” Conditional Use allows consideration of Auto Paint and Body. The property has been used for general auto repair for several years and the applicant wants to expand uses to include paint and body work. The Conditional Use also requires a site plan that establishes building size, height and impervious coverage that cannot be expanded without further public review.
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 policies of the Comprehensive Plan may include:

- JEC Goal 2: Traditional and targeted growth industries support San Antonio's diversified economy and provide a wide range of job opportunities.
- JEC Goal 3: San Antonio's skilled and educated workforce supports the city's traditional and emerging growth industries.

Relevant goals and objectives of the West/Southwest Sector Plan may include:

- Goal ED-1: The West/Southwest Sector is an economically sustainable community in which residents have a variety of employment opportunities
- Goal ED-3: The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods
- Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.

**6. Size of Tract:** The 0.2893-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 Auto Paint and Body.

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

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.