



City of San Antonio

Agenda Memorandum

Agenda Date: November 5, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 9

SUBJECT:
ZONING CASE Z-2024-10700188 CD

SUMMARY:

Current Zoning: "C-3 AHOD" General Commercial Airport Hazard Overlay District

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Paint and Body

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 5, 2024

Case Manager: Eradio Gomez, Zoning Senior Planner

Property Owner: WCM Real Properties LLC

Applicant: Juan Sanchez

Representative: Fernando P Ramirez

Location: 12139 Jones Maltsberger Road

Legal Description: Lot 28, Block 2, NCB 15110

Total Acreage: 0.5070

Notices Mailed

Owners of Property within 200 feet: 19

Registered Neighborhood Associations within 200 feet: None

Applicable Agencies: Aviation Department, Planning Department

Property Details

Property History: The property was annexed into the of City of San Antonio by Ordinance 33076, dated March 17, 1965, and zoned "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property was converted into the current "C-3" General Commercial District.

Code & Permitting Details:

Certificate of occupancy (COO-NOCONST24-37900729) 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: "C-3"

Current Land Uses: Food Service, Tabaco Shop, Massage Spa, Liquor Store, Nail Salon

Direction: East

Current Base Zoning: "R-5"

Current Land Uses: Parking Lot, Gas Station, Auto Glass Shop

Direction: South

Current Base Zoning: "C-3R"

Current Land Uses: Wholesaler, Pest Control

Direction: West

Current Base Zoning: "MF-33"

Current Land Uses: Single Family Dwellings

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.

Special District Information:

None

Transportation

Thoroughfare: Jones Maltberger Road

Existing Character: Minor

Proposed Changes: None Known

Thoroughfare: Starcrest Drive

Existing Character: Local Street

Proposed Changes: None Known

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

Routes Served: 648

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 Paint and Body is 1 per 500 sf GFA including service bays, wash tunnels and retail areas.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "C-3" General Commercial District is 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 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 "CD" Conditional Use is for Auto Paint and Body.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within the Greater Airport Area Regional Center but is not within ½ a mile from a 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 San Antonio International Airport Vicinity Land Use Plan, adopted in May 2010, and is currently designated as "Community Commercial" 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.
3. **Suitability as Presently Zoned:** The current "C-3" General Commercial District is appropriate zoning district 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. Given the surrounding commercial uses, the proposed request is consistent with the land use in the area and constitutes a down zoning of the existing "C-3" General Commercial District. The base "C-2" Commercial District can provide appropriate retail and services to the area. The "CD" Conditional Use will allow the proposed Auto Paint and Body.
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. Relevant Goals and Objectives of the San Antonio International Airport Vicinity Land Use Plan may include:
 - Goal I: Protect the quality of life of residents including health, safety, and welfare.
 - o Objective 1.1 Protect integrity of existing residential neighborhoods and prevent excessive noise pollution and other airport hazards.
 - Goal II: Encourage economic growth that enhances airport operations and surrounding development.
 - o Objective 2.2 Encourage commercial development that respects the integrity of existing residential development.
6. **Size of Tract:** The 0.5070-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 has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.