



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 15, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

Zoning Case Z-2022-10700303 S

**SUMMARY:**

**Current Zoning:** “C-2 MLOD-3 MLR-2 AHOD” Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** “C-2 S MLOD-3 MLR-2 AHOD” Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for a Car Wash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 15, 2022

**Case Manager:** Camryn Blackmon, Planner

**Property Owner:** A.W. Rohde, III

**Applicant:** Texas Express Carwash

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** 7004 Branching Court

**Legal Description:** Lot 1, Block 19, NCB 15894

**Total Acreage:** 0.8659

**Notices Mailed**

**Owners of Property within 200 feet:** 7

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 85087, dated December 30, 1996, and zoned Temporary "R-1" Single-Family District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary "R-1" Single-Family District converted to the current "R-6" Residential Single-Family District. The property was rezoned by Ordinance 95310, dated February 14, 2002, to "C-2" Commercial District.

**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:** OCL

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Ice Cream Shop

**Direction:** South

**Current Base Zoning:** Vacant Lot

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** C-2 C-3

**Current Land Uses:** Medical Center

**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.

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:** N/A.

**Transportation****Thoroughfare:** Walzem Road**Existing Character:** Secondary Arterial A**Proposed Changes:** None Known**Thoroughfare:** Gibbs-Sprawl Road**Existing Character:** Secondary Arterial A**Proposed Changes:** None Known**Public Transit:** There is public transit within walking distance of the subject property.**Routes Served:** 632**Traffic Impact:** \*\*The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\* A

TIA Report is not required.

**Parking Information:** Minimum Parking requirement: 1 per 500 sf GFA including service bays, wash tunnels and retail areas. The Maximum Parking requirement: 1 per 375 sf GFA including service bays, wash tunnels and retail areas.**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-2" 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.

Proposed Zoning: "C-2 S" 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 "S" Specific Use Authorization would allow a Carwash.

**FISCAL IMPACT:**

None.

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

Subject property is not located in or within ½ mile from a Regional Center but located within ½ a mile from the Southeast 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 not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
- 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 and “C-3” General Commercial.
- 3. Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2 S” Commercial District with Specific Use Authorization for a Car Wash is also an appropriate zoning for the property and surrounding area. The requested zoning maintains the base “C-2” Commercial District and the “S” Specific Use Authorization allows consideration of a Car Wash with any conditions if needed.
- 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 of the SA Tomorrow Plan.

**Neighborhood Goal 1:** Preserve, protect and enhance the integrity, economic viability, and livability of San Antonio's neighborhoods.

- Policy 1a: Rezone vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.

**Economic Development Goal 3:** Create an environment of entrepreneurship, productivity, and innovation in San Antonio that promotes business start-up and business growth.

- Policy 3e: Facilitate economic development activities that will: strengthen neighborhoods and communities; provide educational, training and employment opportunities; provide necessary support services; and promote and encourage economic participation for all San Antonio citizens.

6. **Size of Tract:** The 0.8659 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.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant intends to construct a drive thru car wash.