



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 7, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

Zoning Case Z-2022-10700064 CD

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 7, 2022. This case is continued from the April 19, 2022 and May 3, 2022 hearings.

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** Patricia Rankin

**Applicant:** Patricia Rankin

**Representative:** Patricia Rankin

**Location:** 805 Gillette Boulevard

**Legal Description:** Lot 40, Block 83, NCB 11060

**Total Acreage:** 0.3444 acres

**Notices Mailed****Owners of Property within 200 feet:** 17**Registered Neighborhood Associations within 200 feet:** NA**Applicable Agencies:** Lackland Air Force Base**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and zoned "B" Residence District. The property was rezoned by Ordinance 39826, dated August 19, 1971 to the "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

**Topography:** The subject property is located within the Upper SAR Watershed.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** R-4**Current Land Uses:** Single-Family Residential Homes**Direction:** South**Current Base Zoning:** R-4, C-2**Current Land Uses:** Single-Family Residential Homes**Direction:** East**Current Base Zoning:** R-4**Current Land Uses:** Single-Family Residential Homes**Direction:** West**Current Base Zoning:** R-4**Current Land Uses:** Single-Family Residential Homes**Overlay District Information:**

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. 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:**

## **Transportation**

**Thoroughfare:** Gillette Boulevard

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None

**Thoroughfare:** Rockwell Boulevard

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** VIA bus routes are within proximity to the property.

**Routes Served:** 46 and 246

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

**Parking Information:** The minimum parking requirement is 1 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” 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 CD” 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 would allow Auto and Light Truck Repair.

### **FISCAL IMPACT:**

None.

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

The subject property is within ½ mile from a Premium Transit Corridor and is not within proximity to a Regional Center.

## **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 and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "C-2" Commercial base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff finds 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 properties are primarily zoned "R-4" Residential Single-Family District. Although the site is currently zoned "C-2" Commercial District and the site has previously been utilized for medium intensity automobile uses, increasing the intensity by adding a Conditional Use for Auto and Light Truck Repair is not appropriate given the surrounding residential uses.
3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District is appropriate zoning for the property and surrounding area. As presently zoned, the "C-2" Commercial can be developed to provide retail/office and residential scale commercial uses to the surrounding residential properties. The proposed "C-2 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair is not an appropriate, as it takes a "C-3" General Commercial use which is of high intensity and borders on light industrial activity and conditions it down into the "C-2" Commercial District. Although conditions may be imposed on the use, it is still not suited to the area.
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 appear to conflict with any public policy objectives of the West/Southwest Sector Plan.

Relevant Goals and Policies of the West/Southwest 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
6. **Size of Tract:** The 0.3444-acre site is of sufficient size to accommodate the existing commercial zoning.

7. **Other Factors:** The applicant intends to utilize the existing auto shop to fulfill auto and light truck repair services.

The Conditional Use zoning procedure is designed to provide for a land use within the area 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 granting of zoning with Conditional Use shall only be for the zoning case named in the ordinance approving the Zoning Districts with the specified Conditional Use provisions.

The subject property is located within the Lackland 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 objection to the request.