



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 19, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700014 CD

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 19, 2024. This item was continued from the March 5 meeting.

**Case Manager:** Vincent Trevino, Senior Zoning Planner

**Property Owner:** MGR, INC.

**Applicant:** Marvin Morales

**Representative:** Manuel Rubio

**Location:** 4650 Walzem Road

**Legal Description:** Lot 32, NCB 12180

**Total Acreage:** 1.1920

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and zoned "F" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "F" Local Retail District converted to the current "C-2" Commercial District.

**Code & Permitting Details:**

Zoning Verification (Zoning-ZV-2020-13300180) – April 2020

Commercial Fence Permit (COM-FEN-PMT23-40600193) – December 2023 Certificate of Occupancy (COO-APP23-37602483) - November 2023

Permit Investigation (INV-PBP-23-3100004033) - November 2023

Commercial Project Application (COM-PRJ-APP23-39802825) - November 2023

**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:** L, UZROW

**Current Land Uses:** Office, UZROW

**Direction:** South

**Current Base Zoning:** I-1

**Current Land Uses:** Storage Warehouse

**Direction:** East

**Current Base Zoning:** I-1

**Current Land Uses:** Collision Center/Snack Bar

**Direction:** West

**Current Base Zoning:** R-5

**Current Land Uses:** Walzem Elementary School

**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:**

N/A

**Transportation**

**Thoroughfare:** Walzem Road

**Existing Character:** Principal Secondary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Webbles Drive

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 505

**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.

**Parking Information:** The minimum parking requirements for 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 1 per 500 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 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 proposed “CD” Conditional Use would allow for an Auto, Paint and Body.

**FISCAL IMPACT:**

None.

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

Subject property is located with the Austin Highway Regional Center and within ½ a mile from the Metro 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 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 zoning is “I-1” General Industrial zoning and uses.
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 CD” Commercial with a Conditional Use for Auto, Paint and Body is also appropriate. The request preserves the existing “C-2” base zoning district, allowing only commercial uses, but adds the single Conditional Use for Auto Body and Paint Shop which is subject to a site plan. If there are any increases in size or intensity, it would require further public and Council review and approval.
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 of and Policies of the SA Tomorrow Comprehensive Plan may include:
  - JEC Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.
6. **Size of Tract:** The 1.1920 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.