



City of San Antonio

Agenda Memorandum

Agenda Date: August 18, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2022-10700158 CD

SUMMARY:
Current Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: July 19, 2022

Case Manager: Rebecca Rodriguez, Senior Planner

Property Owner: Gustavo Carbajal

Applicant: Gustavo Carbajal

Representative: Gustavo Carbajal

Location: Generally located in the 2600 Block of East Southcross Boulevard

Legal Description: 0.207 acres out of NCB 9642 and NCB 12714

Total Acreage: 0.207

Notices Mailed
Owners of Property within 200 feet: 25

Registered Neighborhood Associations within 200 feet: Highland Hills Neighborhood Association

Applicable Agencies: Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 9058, dated March 2, 1949, and zoned “B” Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B” Residence District converted to the current “R-4” Residential Single-Family 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: R-4 CD

Current Land Uses: Professional Office

Direction: South

Current Base Zoning: R-4

Current Land Uses: Single-Family Residence

Direction: East

Current Base Zoning: I-1

Current Land Uses: Retail - Pharmacy

Direction: West

Current Base Zoning: R-4

Current Land Uses: Single-Family Residence

Overlay District Information:

None.

Special District Information:

None.

Transportation

Thoroughfare: East Southcross

Existing Character: Secondary Arterial A

Proposed Changes: None

Thoroughfare: Bill Miller

Existing Character: Local

Proposed Changes: None

Public Transit: There are VIA bus routes are within walking distance of the subject property.
Routes Served: 515

Traffic Impact: Preliminary Review Only - Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

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: The minimum parking requirement for a motor vehicle sales business is one (1) per 500 sf GFA of sales and service building.

ISSUE:
None.

ALTERNATIVES:

Current Zoning: Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: C-1 districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The “CD” Conditional Use will allow for Motor Vehicle Sales.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is within the Brooks Area Regional Center but not within the Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval, with Conditions.

If recommended for Approval, staff recommends the following conditions:

- 1) An eight (8) foot solid screened fence abutting residential zoning and/or uses.
- 2) Downward facing lighting, directed away from abutting residential zoning and/or uses.
- 3) No outdoor amplified sounds or speakers permitted
- 4) No temporary signs: windwavers, pennants, bandit or snipe signs
- 5) Hours of Operation limited from 8am to 10pm, Monday through Saturday

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 Brooks Area Regional Center Plan and is currently designated as Neighborhood Mixed Use in the future land use component of the plan. The requested “C-1” 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 existing “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “C-1 CD” Light Commercial District with a Conditional Use for Motor Vehicle Sales is also appropriate for the property and surrounding area due to its proximity to other commercial districts and uses found directly across from the property while still limiting the intensity of commercial uses permitted by right since there is a residential neighborhood found to the west of the property. Additionally, the “CD” Conditional Use on the property will allow the use of Motor Vehicle Sales but with added Conditions to mitigate potential impacts.
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. The proposed zoning change will meet the following goals and principles of the Brooks Area Regional Center Plan:

Goal 3: Reinvestment, Retention & Responsibility:

Honor the history of innovation and technology by supporting incubators, start-ups, and local business.

Incentivize equitable education, housing, and economic opportunities that re-invest in and build the community’s prosperity while being socially and environmentally responsible.

Economic Development:

Recommendation 1: Diversify employers and job opportunities in the Brooks Area Regional Center.

Recommendation 2: Create an environment that fosters innovation and small business

development by leveraging the health, science, and education networks present in the Brooks Area.

6. **Size of Tract:** The 0.207 acre site is of sufficient size to accommodate the proposed commercial development, including a motor vehicle sales business.
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 a motor vehicle sales lot.

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