



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 1, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2022-10700201 CD

**SUMMARY:**

**Current Zoning:** "C-1 S MLOD-2 MLR-2 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for a Noncommercial Parking Lot

**Requested Zoning:** "C-1 CD MLOD-2 MLR-2 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 18, 2022. This case was continued from the September 6, 2022 and the October 4, 2022 hearings.

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** JT Casas LLC

**Applicant:** Orfa Trevino

**Representative:** Orfa Trevino

**Location:** 346 Cottonwood Avenue

**Legal Description:** Lot 1, Block 10, NCB 2840

**Total Acreage:** 0.1791 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** St. Leo's Neighborhood Association

**Applicable Agencies:** Lackland Airforce Base, Planning Department, Texas Department of Transportation

**Property Details**

**Property History:** The subject property is currently zoned "C-1 S MLOD-2 MLR-2 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for a Noncommercial Parking Lot. The property was part of the original 36 square miles of the City of San Antonio and was originally zoned "C" Apartment District. The property was rezoned by Ordinance 85113, dated November 7, 1996, to "R-1" Single Family Residence 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 "R-6" Residential Single-Family District. The property was rezoned by Ordinance 20180517 dated March 17, 2018, to the current "C-1 S" Light Commercial District with a Specific Use Authorization for a Noncommercial Parking Lot.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3R" "R-6"

**Current Land Uses:** Residential Dwelling, Vacant

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** "R-6", "R-4"

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** "IDZ"

**Current Land Uses:** Vacant

**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:**

None.

**Transportation**

**Thoroughfare:** Cottonwood Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Rochambeau St

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 43, 44, 46, 243, 246

**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:** The minimum parking requirement for motor vehicle sales is 1 parking space per 500 square feet of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-1 S" Commercial 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 "S" Specific Use Authorization permits the property to be used as a noncommercial parking lot.

Proposed Zoning: "C-1 CD" Commercial 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 would permit motor vehicle sales, as well as the servicing of the vehicles to be sold.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission recommends Approval, with Conditions.

The recommended conditions are as follows:

1. Hours of Operation from 9:00 A.M. – 6:00 P.M, Monday -Saturday, closed Sundays.
2. No temporary signage, wind-wavers, pennants, snipe or bandit signs.
3. No outdoor amplification.
4. Downward facing lighting.

**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 South Central Community Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-1 CD” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does find 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. The property sits at the opening of an established single-family neighborhood, and therefore the site is not an ideal location for a use with this level of intensity.
3. **Suitability as Presently Zoned:** The current “C-1 S” Light Commercial District with a Specific Use Authorization for a Noncommercial Parking lot 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 (Full Service) is not appropriate. The proposed use is a use generally reserved for “C-3” General Commercial District which is the highest intensity commercial zoning designation. This is not appropriate to introduce on a property

surrounded by single-family zoning and land use. This change in zoning would constitute commercial encroachment into a neighborhood.

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 South Central San Antonio Community Plan:
  - Goal: Maintain and build on the old-fashioned neighborhood character of South Central San Antonio.
    - o Strategy 2.1 – Infill Housing: Construct all types of infill housing on vacant lots throughout the entire community.
6. **Size of Tract:** The subject property is 0.1791 Acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to “C-1 CD” to develop Motor Vehicle Sales on the property.

The purpose of the Conditional Use 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 subject property is located within the Lackland Airfield Base Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.