



City of San Antonio

Agenda Memorandum

Agenda Date: April 6, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:

ZONING CASE Z-2022-10700257 CD
(Associated Plan Amendment PA-2022-11600097)

SUMMARY:

Current Zoning: "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "R-6" Residential Single-Family 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 Conditional Use for Motor Vehicle Sales (Full Service)

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 18, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: Johnny Rodriguez

Applicant: Johnny Rodriguez

Representative: Horacio Mendoza

Location: generally located in the 1900 Block of Pleasanton Road

Legal Description: the Northern 47.6 Feet of the Southern 50 feet of Lot 1 and the Southern 50 Feet of the Western 40 Feet of Lot 2. Block 1, NCB 7825

Total Acreage: 0.15

Notices Mailed

Owners of Property within 200 feet: 21

Registered Neighborhood Associations within 200 feet: N/A

Applicable Agencies: Lackland Air Force Base

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 1391, dated September 22, 1944 and zoned “J” Commercial District and “D” Apartment District. The property was rezoned by Ordinance 84398, dated July 11, 1996 to “B-2” Business District and “R-1” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-2” Business District converted to the current “C-2” Commercial District, and the property zoned “R-1” Single-Family Residence District converted to the current “R-6 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: C-3

Current Land Uses: Karate Studio

Direction: South

Current Base Zoning: C-2

Current Land Uses: Barber Shop

Direction: East

Current Base Zoning: R-6

Current Land Uses: Single Family Residence and Tax Office

Direction: West

Current Base Zoning: C-2NA and C-3R

Current Land Uses: Gas Station and Shopping Center

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.

Special District Information:

N/A

Transportation

Thoroughfare: Pleasanton Road

Existing Character: Minor Secondary Arterial B

Proposed Changes: None Known

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

Routes served: 44, 243

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 for Motor Vehicle Sales (Full Service) is 1 space per 500 sf GFA including sales and service 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. "R-6" Residential Single-Family district allows a Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

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. "R-6" Residential Single-Family district allows a Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The "CD" Conditional Use Authorization would allow for Motor Vehicle Sales (Full Service).

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is located within the South Regional Center and within half mile of the Looper Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial. Zoning Commission 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 located within the South Central San Antonio Community Plan and is currently designated as “Mixed Use” in the future land use component of the plan. The requested “C-2” 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.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District and “R-6” Residential Single-Family District are appropriate zoning for the property and surrounding area. The requested “C-2 CD” General Commercial District with Specific Use Authorization for Motor Vehicle Sales (Full Service) is not an appropriate zoning for the property and surrounding area. The “C-2” Commercial is appropriate for the area and future land use, however the CD allows a use not in line with the intended plan for the Pleasanton Road Corridor. The Pleasanton Road corridor is intended to have more neighborhood friendly commercial uses, and this request is not consistent with that objective. The requested “CD” for Motor Vehicle Sales (Full Service) is not appropriate on the small middle block lot, as the property abuts single-family residential zoning and the nature of the use has the potential to create code issues to the surrounding neighborhood.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. The intended use could bring excess noise and heavy traffic in close proximity to residential uses.
5. **Public Policy:** The request does appear to conflict with public policy objectives of the South Central San Antonio Community Plan.
 - Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations.
 - Encourage patterns of development that provide the full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.
 - Encourage a balance of new development and redevelopment of target areas.

- Promote economic development and integrate environmental quality protection.
- Balance centralized and dispersed service locations to optimize the delivery of community services.

6. **Size of Tract:** The 0.15 acre site is not of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The subject property is located within the Lackland AFB 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.

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 zoning request includes a request for nonresidential uses or multifamily uses adjacent (refer to definition in Appendix A as there is a difference between abutting and adjacent) to an existing single family residential use, the applicant is required to construct and maintain a 6 foot solid screen fence, prior to obtaining a Certificate of Occupancy, per Section 35-514(d). The applicant can request City Council modify or exempt this requirement.