



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 21, 2021

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

Zoning Case Z-2021-10700309 S

**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 S MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for a Carwash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 21, 2021

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** Grand Oaks Investments, LLC

**Applicant:** Green Arrow Development LLC

**Representative:** Shahan Bhaidani

**Location:** 4627 West Commerce

**Legal Description:** Lot 51, Block 13, NCB 8252

**Total Acreage:** 0.884 acres

**Notices Mailed****Owners of Property within 200 feet:** 40**Registered Neighborhood Associations within 200 feet:** Prospect Hill and Las Palmas**Applicable Agencies:** None**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 1258, dated August 2, 1944, and originally zoned "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "J" Commercial District converted to "I-1" General Industrial District. The property rezoned under Ordinance 2012-09-20-0766, dated September 20, 2012, from "I-1" General Industrial District to the current "C-2" Commercial District.

**Topography:**

A portion of subject property is located with the Artesian Zone Aquifer Region and Upper SAR Watershed.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** R-4**Current Land Uses:** Residential**Direction:** East**Current Base Zoning:** C-2NA, R-4, I-1**Current Land Uses:** Auto Insurance Service, Repair Shop**Direction:** South**Current Base Zoning:** UZROW, C-3 CD, C-3R**Current Land Uses:** Commercial Strip, Fast-food, Mobile Phone Store**Direction:** West**Current Base Zoning:** R-4, C-3**Current Land Uses:** Auto Sales, Fast-food Restaurant**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:** West Commerce Street

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** None

**Public Transit:** The subject property is within proximity to 5 VIA bus routes.

**Routes Served:** 524, 75, 76, 275, 276

**Traffic Impact:** Commerce is identified on the City's Major Thoroughfare Plan as (Primary Arterial Type B 70' - 120' ROW). ROW dedication and improvement may be required. Arterials require min. 48' pavement - 24' from centerline. Per UDC Table 506-3, note 5 bike facilities are required on all arterials along with sidewalks. All Substandard Street improvements can be reviewed as part of the associated plat, the option of submitting an SIP is also available which will be required at time of Building permit. TIA review will be revisited at time of building permit and/or platting (A site plan will be required).

**Parking Information:** 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" 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 "S" Specific Use Authorization would allow a carwash.

### **FISCAL IMPACT:**

None.

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

The subject property is within proximity to 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 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 properties are primarily C-2, C-3, I-1, and R-4. Although the proposed car wash development would be compatible with other businesses along West Commerce, the rear portion of the property encroaches into an existing neighborhood on Wilmont. Placing a car wash in this location would pose unnecessary hardship on residents in the area.
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 S” Commercial District with Specific Use Authorization for a Car Wash is not an appropriate zoning for the property and surrounding area.
4. **Health, Safety and Welfare:** Staff has 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.
6. **Size of Tract:** The 0.884-acre site is of sufficient size to accommodate the proposed Commercial uses and development.
7. **Other Factors:**

The purpose of the Specific Use Authorization 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 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 is no objection to the request.

The applicant seeks to construct a car wash on the 0.884-acre lot.