



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 18, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**  
ZONING CASE Z-2021-10700291 CD

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "C-2 CD MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Wrecker Service with Outside Storage, Sales, and Auction

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** This case was continued from December 7, 2021

**Case Manager:** Forrest Wilson, Senior Planner

**Property Owner:** Lawrence Rhan

**Applicant:** Clay Jackson, Michele Jackson, & Jeff Kothman

**Representative:** Henry Quintanilla

**Location:** 2806 Rigsby Avenue

**Legal Description:** 5.1190 acres out of NCB 10759

**Total Acreage:** 5.1190

**Notices Mailed**

**Owners of Property within 200 feet:** 19

**Registered Neighborhood Associations within 200 feet:** Comanche Community

**Applicable Agencies:** Martindale Army Airfield, Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned "A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001 the property zoned "A" Single-Family Residence District converted to "R-5" Residential Single-Family District. The property was rezoned by Ordinance 2014-06-05-0401, dated June 5, 2014 to "C-2" Commercial 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:** "I-1"

**Current Land Uses:** Multi-Family

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Car Wash, Pawn Shop

**Direction:** South

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

**Current Land Uses:** Single-Family

**Direction:** West

**Current Base Zoning:** "C-1"

**Current Land Uses:** Contractor's Yard

**Overlay District Information:**

The "MLOD-3" Martindale Army Airfield 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:**

None.

**Transportation**

**Thoroughfare:** Rigsby Avenue

**Existing Character:** Principal

**Proposed Changes:** None Known

**Thoroughfare:** Bonair Drive

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 30, 230

**Traffic Impact:** TIA report is not required.

**Parking Information:** There is no parking requirement.

**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 “CD” Conditional Use will allow Wrecker Service with Outside Storage, Sales, and Auction.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center, but within a 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 located within the Eastern Triangle Community Plan and is currently designated as “Community Commercial” 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 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. Adjacent properties are zoned “C-1” Light Commercial and “C-2” Commercial. Properties across the street are zoned “I-1” General Industrial.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial base zoning district is appropriate for the subject property and surrounding area. The proposed “C-2 CD” maintains the base “C-2” district and the Conditional Use allows for the consideration of a Wrecker Service with Outside Storage, Sales, and Auction. A Wrecker Service is appropriate along Rigsby Avenue adjacent to other commercial business. Additionally, the Conditional Use holds the applicant to the submitted site plan and allows for consideration of conditions where appropriate such as: restricted temporary signage and/or hours of operation, fencing, landscape buffers and other similar restrictions.
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 proposed change of zoning does not appear to conflict with the following goals and strategies of the Eastern Triangle Community Plan:  
  
Goal 7: Create a community wide economic development plan
  - Objective 7.2: Attract new businesses to the Eastern Triangle  
Goal 8: Expand and build thriving commercial corridors
  - Objective 8.1: Identify specific corridors for revitalization and develop strategic plans for redevelopment  
Goal 9: Promote diversification of businesses and services
6. **Size of Tract:** The 5.1190 acre site is of sufficient size to accommodate commercial uses and the proposed wrecker service.
7. **Other Factors:** The subject property is located within the Martindale Army Airfield 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 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 applicant is proposing a Wrecker Service with Outside Storage, Sales, and Auction.