



City of San Antonio

Legislation Details (With Text)

File #: 21-3904

Type: Zoning Case

In control: City Council A Session

On agenda: 6/3/2021

Title: ZONING CASE Z-2021-10700054 CD (Council District 7): Ordinance amending the Zoning District Boundary from "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on Lots A, B, C and D, Block 2, NCB 11991, located at 6719 West Commerce Street. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2021-06-03-0417

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 7

SUBJECT:

Zoning Case Z2021-10700054 CD

SUMMARY:

Current Zoning: "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 4, 2021

Case Manager: Juanita Romero, Senior Planner

Property Owner: Edgar A. Asencio and Fredy L. Asencio

Applicant: Edgar A. Asencio

Representative: Edgar A. Asencio

Location: 6719 West Commerce Street

Legal Description: Lots A, B, C and D, Block 2, NCB 11991

Total Acreage: 0.4912

Notices Mailed

Owners of Property within 200 feet: 33

Registered Neighborhood Associations within 200 feet: N/A

Applicable Agencies: Lackland Air Force Base

Property Details

Property History: The subject property was annexed by Ordinance 18115 dated September 25, 1952 as "A" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" converted to the current "R-5" Residential District.

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: "R-5"

Current Land Uses: Manufactured home

Direction: East

Current Base Zoning: "C-2"

Current Land Uses: Vacant retail

Direction: South

Current Base Zoning: "C-3NA"

Current Land Uses: Business Park

Direction: West

Current Base Zoning: "C-3" and "I-1"

Current Land Uses: Industrial uses, vacant

Overlay and Special District Information:

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. The "MLOD-2" 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.

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Transportation

Thoroughfare: West Commerce Street

Existing Character: Principal

Proposed Changes: None Known

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

Routes Served: 68 and 75

Traffic Impact: A Traffic Impact Analysis (TIA) cannot be determined at this time.

Parking Information: The parking minimum for Auto Repair is 1 space per 500 square feet of gross floor area including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bays.

ISSUE:

None.

ALTERNATIVES:

Current: The current zoning district designation of “R-5” is designed to allow a Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed: C-2 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 “CD” Conditional Use would allow the operation of Motor Vehicle Sales (Full Service), pursuant to a site plan.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is not within a Regional Center and is not within a premium transit corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (10-0) recommend Approval.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on the approval criteria below.

1. Consistency:

The subject property is located within the West / Southwest Sector Plan and is currently designated as “General Urban Tier” in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff has found not found 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 current “R-5” Residential Single-Family District is not an appropriate zoning for the property and surrounding area. The area is entirely “C-3” General Commercial and “I-1” General Industrial zoning and land use. The proposed “C-2 CD” Commercial District is appropriate for the property and the proposed “CD” Conditional Use allows consideration of Motor Vehicle Sales (Full Service), a use allowed by right in the “C-3” General Commercial District. However, the rezoning to “C-2” Commercial District stays within the prescribed “General Urban Tier” land use, while the Conditional Use allows consideration of a “C-3” General Commercial use, specifically Motor Vehicle Sales (Full Service).

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 rezoning does not appear to conflict with the following goals, principles, and objectives of the West Sector Plan:

LU-1.1 Limit encroachment of commercial uses into established low-density residential areas

6. Size of Tract:

The 0.4912 acre site which could reasonably accommodate commercial uses and motor vehicle sales and repair.

7. Other Factors:

The subject property is located within the Lackland Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to the 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.