



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-5742

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 10/6/2020

**Title:** ZONING CASE Z-2020-10700193 (Council District 2): A request for a change in zoning from "I-2 MLOD-3 MLR-2" Heavy Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "C-2 MLOD-3 MLR-2" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District on Lot 5, Block 4, NCB 1196, located at 712 Seguin Avenue. Staff recommends Approval. (Lorianne Thennes, Planner, (210) 207-7945, lorianne.thennes@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2020-10700193

**SUMMARY:**

**Current Zoning:** "I-2 MLOD-3 MLR-2" Heavy Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 6, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** John Bonillas

**Applicant:** John Bonillas

**Representative:** John Bonillas

**Location:** 712 Seguin Avenue

**Legal Description:** Lot 5, Block 4, NCB 1196

**Total Acreage:** 0.1157 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association

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

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned "L" First Manufacturing District. The previous "L" zoning district converted to the current "I-2" Heavy Industrial District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001.

**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:** "I-1"

**Current Land Uses:** Vacant, Sanchez ice house

**Direction:** East

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

**Current Land Uses:** Taco Bell, Wendy's

**Direction:** South

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

**Current Land Uses:** Single-family dwelling units, duplex

**Direction:** West

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

**Current Land Uses:** Custom furniture business

**Overlay and Special District Information:**

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" 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.

**Transportation**

**Thoroughfare:** Seguin Avenue

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 21, 22, 222

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a restaurant with a drive thru is 1 parking space per 150 square feet of gross floor area.

**ISSUE:** None.

**ALTERNATIVES:**

**Current:** The current "I-2" Heavy Industrial District accommodates uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The "I-2" district is established in order to provide sites for activities which involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the "L" or "I-1" district. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines. These districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required.

**Proposed:** The proposed "C-2" Commercial District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

**FISCAL IMPACT:** None.

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

The property is not within a regional center or 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 the approval criteria below.

**1. Consistency:**

The subject property is located within the Government Hill Neighborhood Plan and is currently designated as "Community Commercial." The requested "C-2" 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 requested "C-2" constitutes a downzoning from the most intense industrial zoning classification.

**3. Suitability as Presently Zoned:**

The current "I-2" Heavy Industrial District is not an appropriate zoning for the property and surrounding area. The area has been established with far more commercial uses than heavy industrial uses. Additionally, as a planning principal "C-2" is a more appropriate zoning district where abutting residential zoning and uses than "I-2."

**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 Government Hill Neighborhood Plan:

- "Community Commercial is an appropriate buffer between low, medium, and high density residential uses, or between an arterial and low density residential."
- "Community Commercial provides for medium intensity land use that draws its customer base from two or more neighborhoods."

**6. Size of Tract:**

The subject property is 0.1157 acres, which could reasonably accommodate a drive thru restaurant.

**7. Other Factors:**

The subject property is located within the Martindale Army Air Field 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 the request.