



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-9380

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 2/4/2020

**Title:** ZONING CASE Z-2019-10700315 CD (Council District 6): A request for a change in zoning from “C-2 MLOD-2 MLR-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to “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 an Office Warehouse (Flex Space) – Outside Storage not Permitted on 4.351 acres out of NCB 18285, generally located at 7531 Potranco Road. Staff recommends Approval.(Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location map, 2. Site Plan

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z-2019-10700315 CD

**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 CD MLOD-2 MLR-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for an Office Warehouse (Flex Space) - Outside Storage not Permitted

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 4, 2020

**Case Manager:** Patricia Franco, Planner

**Property Owner:** JM Assets, LP

**Applicant:** John Muhich

**Representative:** Ken Leonard

**Location:** 7531 Potranco Road

**Legal Description:** 4.351 acres out of NCB 18285

**Total Acreage:** 4.351

**Notices Mailed**

**Owners of Property within 200 feet:** 24

**Registered Neighborhood Associations within 200 feet:** None.

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed by Ordinance 64024 on December 31, 1986 and originally zoned "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the properties zoned "B-2" converted to the current "C-2" Commercial District.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Restaurant and bank

**Direction:** East

**Current Base Zoning:** "C-2" and "C-3R"

**Current Land Uses:** Restaurant

**Direction:** South

**Current Base Zoning:** "C-3 S"

**Current Land Uses:** Billboard Sign

**Direction:** West

**Current Base Zoning:** "R-6" and "C-2"

**Current Land Uses:** Single-family residences and vacant land

**Overlay and Special District Information:**

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.

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

**Transportation**

**Thoroughfare:** Potranco Road

**Existing Character:** Principal

**Proposed Changes:** Primary Arterial A

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

Routes Served: 620

**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 an Office Warehouse (Flex Space) is 4 spaces plus 2 for manager's quarters.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-2". These districts accommodate community commercial uses, with unlimited building size. 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, dry cleaning, and pawn shop. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed:** The proposed "C-2 CD" Commercial District allows the above noted uses in addition to a Conditional Use for an Office Warehouse (Flex Space) - Outside Storage not Permitted.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is not within a Regional Transit Center but it is located within a half mile of 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 West/Southwest Sector Plan and is currently designated as "Mixed Use Center" 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 has 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. The requested "C-2"

maintains the base zoning district.

**3. Suitability as Presently Zoned:**

The existing “C-2” Commercial base zoning is an appropriate zoning district for the surrounding area. The added Conditional Use allows for consideration of conditioning down of a “C-3” General Commercial use to a “C-2” Commercial district. It also allows, where appropriate, for conditions such as: buffering, fencing, hours of operation and restricted temporary signage.

**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/Southwest Sector Plan:

**Goal ED-3 The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods**

**ED-3.1** Ensure the development of new business locations and employment centers are compatible with the West/Southwest Sector Land Use Plan

**6. Size of Tract:**

The subject property is approximately 4.351 acres, which would adequately support the requested commercial use.

**7. Other Factors:**

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 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 applicant is seeking to develop a currently vacant lot for the use of an Office Warehouse (Flex Space).