



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-5601

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/1/2020

**Title:** ZONING CASE Z-2020-10700179 (Council District 5): Ordinance amending the Zoning District Boundary from "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on Lots 3-7, Block 88, NCB 3680, located at 3602, 3610 and 3618 West Commerce Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. GPCF, 4. Draft Ordinance, 5. Zoning Minutes, 6. Ordinance 2020-10-01-0720

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2020-10700179

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 1, 2020

**Case Manager:** Victoria Castro, Planner

**Property Owner:** Our Lady of the Lake University of San Antonio

**Applicant:** Brown & Ortiz, P.C.

**Representative:** Brown & Ortiz, P.C.

**Location:** 3602, 3610 and 3618 West Commerce Street

**Legal Description:** Lots 3-7, Block 88, NCB 3680

**Total Acreage:** 0.9017

**Notices Mailed**

**Owners of Property within 200 feet:** 35

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property was part of the Original 36 square miles and zoned "H" Local Retail District and "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the portion zoned "H" Local Retail District converted to the current "C-3" General Commercial District and the portion zoned "J" Commercial District converted to the current "I-1" General Industrial 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:** "C-3"

**Current Land Uses:** Vacant land, Auto Insurance & Notary Public and Washington Courts Motel

**Direction:** East

**Current Base Zoning:** "C-3" and "R-4"

**Current Land Uses:** Vacant Retail Store and Single-Family Residences

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-Family Residences

**Direction:** West

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

**Current Land Uses:** H&S Express Auto Sales

**Overlay and Special District Information:**

"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.

"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.

**Transportation**

**Thoroughfare:** West Commerce Street

**Existing Character:** Primary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Southwest 20<sup>th</sup> Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property **Routes Served:** 76, 77

**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 Medical Clinic is 1 parking space per 400 square foot of Gross Floor Area.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning district designation of "C-3" is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

The current zoning district designation of "I-1" accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**Proposed:** The proposed zoning district designation of "IDZ-2" is designed to allow Mid-Intensity Infill Development. "IDZ" provides flexible standards for setbacks and parking and encourages reuse of underutilized parcels within a qualifying area of the city.

The applicant is requesting "IDZ-2" with uses permitted in "C-2" Commercial District, to develop a Medical Clinic.

“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.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval.

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

**1. Consistency:**

The property is not located within a Neighborhood, Community Plan or Sector Plan, therefore a finding of consistency is not required.

**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 of the surrounding area.

**3. Suitability as Presently Zoned:**

The current “C-3” General Commercial and “I-1” General Industrial base zoning districts are not appropriate for the surrounding area. The “I-1” allows uses that are very intense and the “C-3” contributes to the existing saturation of bar/taverns & nightclubs, auto sales and auto repair shops that exist in the area. The “IDZ-2” Medium Intensity Infill Development Zone down zone is more appropriate. It allows a wide range of less intense uses that the area will benefit from. The proposed “IDZ-2” zoning is also a good buffer between the existing Arterial roadway located north of the subject property and the existing single-family residences located to the south.

**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 request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The 0.9017 acre site is of sufficient size to accommodate the proposed commercial development.

**7. Other Factors:**

The subject property is located within the Lackland AFB 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.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. On August 27, 2019, OHP staff reviewed and approved application for demolition of primary structures at 3602 W Commerce and 3610 W Commerce to accommodate the proposed use.

The applicant is requesting to rezone from “C-3” and “I-1” to “IDZ-2” with uses permitted in “C-2” Commercial District, to develop a Medical Office.