



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1048

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 12/18/2018

**Title:** ZONING CASE # Z-2018-900048 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 and "C-3 MLOD-2 MLR-2 AHOD" General 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 Auto and Light Truck Repair on 0.771 acres out of NCB 17647, generally located at the intersection of West Loop 1604 and West Military Drive. Staff recommends Approval.

**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-2018-900048 CD

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Military Lighting Overlay District Lackland Military Lighting Region-2 Airport Hazard Overlay District with Conditional Use for Auto and Light Truck Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 18, 2018

**Case Manager:** Patricia Franco, Planner

**Property Owner:** M2G Stone Oak LTD

**Applicant:** Prevto Companies, Ltd

**Representative:** Kaufman & Killen

**Location:** generally located at the intersection of West Loop 1604 and West Military Drive

**Legal Description:** 0.771 acres out of NCB 17647

**Total Acreage:** 0.771

**Notices Mailed**

**Owners of Property within 200 feet:** 4

**Registered Neighborhood Associations within 200 feet:** Oak Creek Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base, San Antonio Water Systems, Texas Department of Transportation

**Property Details**

**Property History:**

A portion of the property was rezoned from "R-6" Residential Single-Family District to "C-3" General Commercial District by Ordinance 2006-04-20-0526, dated April 20, 2006. The other portion of the property was rezoned from "R-6" Residential Single-Family District to "C-2" Commercial District by Ordinance 2007-06-07-0665, dated June 7, 2007.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Vacant Commercial

**Direction:** East

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

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

**Direction:** South

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

**Current Land Uses:** Gas Station, Vacant Commercial

**Direction:** West

**Current Base Zoning:** Unzoned Right-of-Way

**Current Land Uses:** Highway

**Overlay and Special District Information:**

"MLOD-2 MLR-2"

All surrounding properties carry the "MLOD-2 MLR-2" Lackland Military Lighting Overlay Military Lighting Region 1 District, due to their proximity to Lackland Air Force Base. The "MLOD-2 MLR-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 Military Drive

**Existing Character:** Secondary Arterial

**Proposed Changes:** None known

**Thoroughfare:** West Loop 1604

**Existing Character:** Interstate Highway

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the 64 and 620, which stops along the West 1604 Frontage Road one-half block to the north of the intersection of West Military Drive and West 1604 Frontage Road.

**Traffic Impact:** A Traffic Impact Analysis (TIA) may be required.

**Parking Information:**

The minimum parking required for Auto and Light Truck Repair is 1 parking space per 500 square feet of the gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of "C-2" which accommodates 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 subject property does not fall within a Regional Center or Premium Transit Corridor.

**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 property is located within the West/Southwest Sector Plan and is designated as a “Regional Center” in the future land use component of the Plan. The requested zoning is consistent with the future land use classification.

## **2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The property is currently vacant and the proposed use is compatible with the current surrounding land uses.

## **3. Suitability as Presently Zoned:**

The proposed zoning request will provide for commercial activity, which is consistent with existing commercial uses. This proposed land use is located at an intersection of an expressway and a major arterial, which is consistent with where the Sector Plan recommends this type of intense commercial use to be located.

## **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

## **5. Public Policy:**

The rezoning request does not appear to conflict with any public policy objective and is consistent with the West/Southwest Plan’s goals. The property is located along West Military Drive, a secondary arterial and West Loop 1604 which is an appropriate location for more intense commercial uses.

Relevant Goals and Objectives of the West/Southwest Sector Plan:

- Economic Development Goals and Strategies: ED-1.1 Locate business offices near existing residential areas within the Sector
- Economic Development Goals and Strategies: ED-1.3 Stimulate and support increased activity of existing businesses (*it’s located near a gas station*)

## **6. Size of Tract:**

The subject property is approximately 0.771 acres in size, which reasonably accommodates the proposed 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, JBSA was notified of the proposed request.

The purpose of the Conditional Use is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may under the right set of circumstances and conditions be acceptable in certain specific locations.