



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-2883

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/4/2019

**Title:** ZONING CASE # Z-2019-10700024 CD (Council District 5): Ordinance amending the Zoning District Boundary from "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Office/Warehouse to "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Office/Warehouse on Lot 23 and Lot 24, Block 5, NCB 11370, located at 2634 S.W. 34th Street. Staff and Zoning Commission recommend Approval, with Conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-04-04-0292

Date	Ver.	Action By	Action	Result
4/4/2019	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2019-10700024 CD

**SUMMARY:**

**Current Zoning:** "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Non-Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Office/Warehouse

**Requested Zoning:** "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Non-Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for an Office/Warehouse

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 19, 2019

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Ramiro Reyes

**Applicant:** Ramiro Reyes

**Representative:** Ramiro Reyes

**Location:** 2634 Southwest 34th Street

**Legal Description:** Lot 23 and 24, Block 5, NCB 11370

**Total Acreage:** 1.9972

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Thompson Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property was annexed a by Ordinance 33954, dated January 20, 1966. The property was rezoned from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD NA AHOD" Commercial Non-Alcoholic Sales Airport Hazard Overlay District with a Conditional Use for an Office/Warehouse by Ordinance 2018-02-15-0137, dated February 15, 2018.

**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-3R CD"

**Current Land Uses:** Concrete Batching Plant

**Direction:** East

**Current Base Zoning:** "MI-2 S"

**Current Land Uses:** Vacant Lot, Mobile Home

**Direction:** South

**Current Base Zoning:** "MI-2 S"

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** "C-3NA", "I-1"

**Current Land Uses:** Salvage Yard

**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. 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:** Growdon Road

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Southwest 34<sup>th</sup> Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus route 524 is approximately one-mile from the subject property.

**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:**

An Office Warehouse (Flex-Space) requires a minimum parking of 1 parking space per 2,000 square feet of GFA.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-2 CD". "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. The conditional use that currently exist on the property, is the same on that's being requested.

### **FISCAL IMPACT:**

None.

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

The subject property is within the Port San Antonio Regional Center. The subject property is not within ½ of a mile of Premium Transit Corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval, with Conditions.

**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 Kelly/South San PUEBLO Community Plan and is currently designated as "Community Commercial" in the future land use component of the plan. The requested "C-2" Commercial District is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed commercial use to the east side of SW 34<sup>th</sup> Street is adequately buffered by commercial and industrial uses.

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

The current “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The applicant is rezoning a second time because of a major amendment to their site plan.

## **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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Kelly/South San PUEBLO Community Plan:

- Goal 2 - Community Character and the Environment - Ensure neighborhood compliance with basic City codes and work toward the beautification of the community.
- Objective 3.2 - Attractive, Diverse Business - Attract and support a variety of businesses in a walkable, mixed-use environment.

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

The subject property is 1.9972 acres, which could reasonably accommodate an office/warehouse.

## **7. Other Factors:**

In accordance with the regulations, this zoning change is requested to amend the site plan. This amendment is a major amendment and the changes include moving the primary structure from one side of the lot to the other/opposite side of the lot.

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.

Should City Council approve the rezoning, staff recommends the following conditions:

- Type B Landscape buffer adjacent to residential uses.
- A six foot (6') solid screen fence to the rear and sides of the property.
- Downward facing lighting.

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.