



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-6496

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/19/2019

**Title:** ZONING CASE Z-2019-10700097 CD (Council District 5): Ordinance amending the Zoning District Boundary from "I-1 MLOD-2 MLR-2 AHOD" General Industrial 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 Vehicle Sales on Lot 5, Block 3, NCB 2312, located at 1918 West Commerce. Staff recommends Approval. Zoning Commission recommends Denial. (Continued from August 22, 2019.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**  
Zoning Case Z-2019-10700097 CD

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-2 MLR-2 AHOD" General Industrial 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 Auto Vehicle Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 16, 2019. This case is continued from the June 18, 2019 hearing.

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Abdel Kareen Abdelaziz

**Applicant:** Abdel Kareen Abdelaziz

**Representative:** Abdel Kareen Abdelaziz

**Location:** 1918 West Commerce

**Legal Description:** Lot 5, Block 3, NCB 2312

**Total Acreage:** 0.1756

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Historic Westside Residents and Prospect Hill Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property 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:** "I-1"

**Current Land Uses:** Print Shop

**Direction:** South

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

**Current Land Uses:** Commercial Use

**Direction:** East

**Current Base Zoning:** "I-1"

**Current Land Uses:** Salon

**Direction:** West

**Current Base Zoning:** "I-1"

**Current Land Uses:** Print Shop

**Overlay and Special District Information:**

"MLOD-2"

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

**Existing Character:** Primary Arterial B

**Proposed Changes:** West Commerce Street (Frio Street to Colorado Street) -- Improvements to Commerce corridor from Frio to Colorado. Includes reconfiguring lanes on bridge, wider sidewalks, bike facilities and other improvements as appropriate and within available funding.

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

**Routes Served:** 75, 275

**Traffic Impact:** Commerce is identified on the City's Major Thoroughfare Plan as a Primary Arterial Type B (70'-120') ROW. ROW dedication may be required.

**Parking Information:** The minimum parking requirement for an auto and vehicle sales is 1 space per 500 square feet.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "I-1". This district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. 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.

### **FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center and located within the Premium Transit Corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission (10-0) recommends Denial.

**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 Guadalupe Westside Community Plan and is currently designated as

“Mixed Use” 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 does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “I-1” General Industrial District is an appropriate zoning for the property and surrounding area. The proposed “C-2” Commercial District is appropriate along West Commerce Street. The “CD” Conditional Use allows conditioning down of a “C-3” use, specifically an Auto Vehicle Sales.

**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 Guadalupe Westside Community Plan:

Goal 17: Support Existing and Future Businesses

Goal 19.3 Encourage the Development of Vacant and Substandard Parcels

**6. Size of Tract:**

The subject property is 0.1756 acres, which could reasonably accommodate commercial, auto sales uses.

**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.