City of San Antonio

Legislation Details (With Text)

File #: 20-1597

Type: Zoning Case

In control: City Council A Session

On agenda: 2/20/2020

Title: ZONING CASE Z-2019-10700314 CD (Council District 5): Ordinance amending the Zoning District Boundary from "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot to "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on Lots 43-50, Block 7, NCB 8258, located at 202 North General McMullen. Staff and Zoning Commission recommend Approval with Conditions.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2020-02-20-0140

Date	Ver.	Action By	Action	Result
2/20/2020	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 Z2019-10700314 CD

SUMMARY:
Current Zoning: "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot

Requested Zoning: "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: January 21, 2020

Case Manager: Lorianne Thennes, Planner

Property Owner: Steban Mireles

Applicant: Steban Mireles

Representative: Steban Mireles

Location: 202 North General McMullen

Legal Description: Lots 43-50, Block 7, NCB 8258

Total Acreage: 0.528 acres

Notices Mailed
Owners of Property within 200 feet: 26
Registered Neighborhood Associations within 200 feet: Prospect Hill Neighborhood Association
Applicable Agencies: Lackland Airforce Base

Property Details
Property History: The subject property was annexed into the city by Ordinance 1258, dated August 3, 1944 and was originally zoned "JJ" Commercial District. The "JJ" zoning district converted to "I-1" General Industrial District following the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001). The property was rezoned from "I-1" General Industrial District and "R-4" Residential Single-Family District to "R-4 CD" Residential Single-Family District with a Conditional Use for a Noncommercial Parking Lot by Ordinance 2007-05-17-0588, dated May 17, 2007.

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-2 CD" with a Conditional Use for Auto Sales
Current Land Uses: Auto sales

Direction: East
Current Base Zoning: "R-4"
Current Land Uses: Vacant land, single-family homes

Direction: South
Current Base Zoning: "C-2 S" with a Specific Use for Telephone Equipment Infrastructure and "R-4"
Current Land Uses: AT&T building, vacant land, restaurants

Direction: West
Current Base Zoning: "C-3R" and "C-3"
Current Land Uses: Shopping center, restaurants, auto parts store

Overlay and Special District Information:
"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.

"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: North General McMullen
Existing Character: Primary Arterial A
Proposed Changes: None

Thoroughfare: Faust
Existing Character: Local
Proposed Changes: None

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

Routes: 75, 76, 79, 275, 276, 524

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 motor vehicle sales is 1 space per 500 square feet of ground floor area of sales and service building.

ISSUE:
None.

ALTERNATIVES:
Current: The current “R-4” Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

Proposed: The proposed “C-2” Commercial District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. This district promotes a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "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 allows consideration of Motor Vehicle Sales.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The property is not within a regional center but is within a premium transit corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (9-0) recommend Approval with Conditions:

1. No temporary signage, banners, pennants, flags, or wind wavers.
2. No outdoor speakers.

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

1. Consistency:
The subject property is not located within any Community, Neighborhood, or Sector Plan therefore a finding of consistency is not required.

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 "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot is an appropriate zoning for the property and surrounding area. The proposed “C-2” is consistent with zoning to the north, south, and west of the subject property. The proposed “CD” for Motor Vehicle Sales conditions down a “C-3” use and allows for consideration of motor vehicle sales with conditions. Conditions may include landscape or buffering, limited hours of operation, screening and restricted 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 subject property is not located within any Community, Neighborhood, or Sector Plan.

6. Size of Tract:
The subject property is 0.528 acres, which could reasonably accommodate a used car lot.

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 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.