



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-1900

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 3/17/2020

**Title:** (Continued from 02/04/2020) ZONING CASE Z-2019-10700327 (Council District 3): A request for a change in zoning from "C-2 HS MLOD-2 MLR-2 AHOD" Commercial Historical Significant Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 45, NCB 9483, located at 2914 Pleasanton Road. Staff recommends Denial. (Mercedes Rivas, Senior Planner, (210) 207-0215, Mercedes.Rivas2@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. HDRC Action Letter

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2019-10700327

**SUMMARY:**

**Current Zoning:** "C-2 HS MLOD-2 MLR-2 AHOD" Commercial Historic Significant Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 17, 2020. This case is continued from the January 21, 2020 and February 4, 2020 zoning hearings.

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** JRE Holdings, LLC

**Applicant:** Rene Ruiz

**Representative:** Rene Ruiz

**Location:** 2914 Pleasanton Road

**Legal Description:** Lot 45, NCB 9483

**Total Acreage:** 0.8357

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Office of Historic Preservation, Lackland Airforce Base, Planning Department

**Property Details**

**Property History:** : The subject property was annexed into the City of San Antonio by Ordinance 4745, dated March 8, 1947 and zoned "JJ" Commercial. The subject property converted from "JJ" Commercial District to "I-1" General Industrial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001. The property was then rezoned from "I-1" General Industrial District to "I-IHS" General Industrial Historic Significant District by Ordinance 95311 dated February 14, 2002. The property was then rezoned from "I-IHS" General Industrial Historic Significant District to "C-2 HS" Commercial Historical Significant District by Ordinance 2006-06-01-0667 dated June 1, 2006.

**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 NA"

**Current Land Uses:** Animal Hospital

**Direction:** East

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

**Current Land Uses:** Vacant Lot

**Direction:** South

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

**Current Land Uses:** Tire Shop

**Direction:** West

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

**Current Land Uses:** Church Parking Lot

**Overlay and Special District Information:**

"HS"

The "HS" Historic Significant landmark designation, signifies the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission

(HDRC) prior to any permits being issued.

**"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.

**"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:** Pleasanton Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None

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

**Routes Serviced:** 44 and 243

**Traffic Impact:** A Traffic Impact Analysis (TIA) analysis is not required.

**Parking Information:** The minimum parking requirements for a Professional Office is 1 parking space per 300 sf of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "C-2" Commercial district 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.

**Proposed:** The proposed "C-2" Commercial district would remain the same. The rezoning would remove the Historic Significant Overlay.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff 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 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 find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The "C-2 HS" Commercial Historical Significant District is an appropriate zoning for the property. The base "C-2" Commercial District remains the same. The rezoning proposes to remove the Historic Overlay.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request is not within a neighborhood or community plan.

**6. Size of Tract:**

The subject property is 0.8357 acres, which could reasonably accommodate the current use as a Law Office.

**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 applicant is requesting to remove the "HS" from the current "C-2 HS", allowing the applicant to have a pole sign.

The Office of Historic Preservation finds that there is no new and compelling evidence for removal of designation for the property. The Historic Design and Review Commission denied the applicants request.