



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-2466

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 3/19/2020

**Title:** ZONING CASE Z-2020-10700001 CD (Council District 4): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Stone Curing with Outside Storage on Lots 8, 9A, 10A, 11B, 14B and 15B, Block 14, NCB 15505, located at 2824 Southwest Loop 410. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2020-03-19-0212

Date	Ver.	Action By	Action	Result
3/19/2020	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2020-10700001 CD

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District.

**Requested Zoning:** "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Stone Curing with Outside Storage (all overlays remain the same)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 18, 2020

**Case Manager:** Victoria Castro, Planner

**Property Owner:** Christopher Deane & Frances Porter

**Applicant:** Emanuel Cardenas

**Representative:** Emanuel Cardenas

**Location:** 2824 Southwest Loop 410

**Legal Description:** Lots 8, 9A, 10A, 11B, 14B & 15B, Block 14, NCB 15505

**Total Acreage:** 0.7298

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Lackland Terrace Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base and Texas Department of Transportation.

**Property Details**

**Property History:** The property was annexed by Ordinance 32613 on September 24, 1964 and zoned "R-1" Single Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" Single Family Residence District converted to the current "R-6" Residential Single-Family 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:** "MF-33" and C-3NA

**Current Land Uses:** Commercial Use

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Commercial Use

**Direction:** South

**Current Base Zoning:** ROW

**Current Land Uses:** US Highway 90

**Direction:** West

**Current Base Zoning:** ROW

**Current Land Uses:** Loop 410

**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 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.

**Transportation**

**Thoroughfare:** Southwest Loop 410

**Existing Character:** Interstate

**Proposed Changes:** None Known

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

Routes Served: 611 and 616

**Traffic Impact:** Loop 410 is a TXDOT roadway. TXDOT review of ROW and access is required. Submit the plat and other associated documents to TXDOT for review and approval.

**Parking Information:**

The parking requirement for Stone Curing, Monument - Manufacturing is minimum 1 space per 1,500 sf. and maximum 1 space per 300 sf.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “R-6” 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. These districts are 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 CD” 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 theatre, pet cemetery, auto & light truck oil, lube & tune0up, auto glass tinting, tire repair (sales and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outside storage or display of goods shall be permitted, except for outdoor dining.

**Proposed:** The proposed “CD” Conditional Use allows C-2 uses, in addition to Stone Curing with Outside Storage.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

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

**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 West/Southwest Sector Plan and is currently designated as “General Urban Tier 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 finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed “C-2” Commercial District is consistent with the land use and zoning in the area.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District is not an appropriate zoning for the property and surrounding area. The area is surrounded by “C-3” General Commercial Zoning and uses, making the “C-2” a more suitable zoning district. The “CD” Conditional Use allows consideration of stone Curing with Outside Storage, a use that is allowed in “C-3” district. The applicant chose “C-2” in order to maintain consistency with the Sector Plan and “General Urban Tier” land use. The “CD” allows for conditioning down a “C-3” use with conditions if necessary. Conditions may include: buffering, fencing, and restricted hours of operation or signage.

**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 West / Southwest Sector Plan:

- The sector plan anticipates continued interest, continued growth, and more diverse economic opportunities in the Sector.
- The community wants to continue supporting the expansion of existing businesses and the establishment of future businesses and ensure they are compatible and sustainable with existing and developing residential area.
- Locate business offices near existing residential areas within the Sector.

**6. Size of Tract:**

The subject property is 0.7298 acres, which could reasonably accommodate general commercial uses and Stone Curing with Outside Storage.

**7. Other Factors:**

The subject property is located within the Lackland Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA 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.

The applicant is requesting to rezone, in order to construct a Stone Curing business with Outside Storage. The applicant can have access to the property off Altitude Drive, but will need to meet minimum code requirements for right of way dedication, road improvements, etc.