City of San Antonio

Legislation Details (With Text)

File #:	20-3318
Type:	Zoning Case
In control:	City Council A Session
On agenda:	6/4/2020
Title:	ZONING CASE Z-2019-10700327 (Council District 3): Ordinance amending the Zoning District Boundary 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 (save and except 0.245 acres out of NCB 9483), located at 2914 Pleasanton Road. Staff and Zoning Commission recommend Approval.
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Map, 2. HDRC Action Letter, 3. Draft Ordinance, 4. Field Notes, 5. Zoning Minutes, 6. Ordinance 2020-06-04-0378

Date	Ver.	Action By	Action	Result
6/4/2020	1	City Council A Session		

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: May 5, 2020. This case is continued from the January 21, 2020 and February 4, 2020 zoning hearings. The March 17, April 7 and April 21 meeting dates were cancelled.

Case Manager: Mercedes Rivas, Senior Planner

Property Owner: JRE Holdings, LLC

Applicant: Rene Ruiz

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Representative: Rene Ruiz

Location: 2914 Pleasanton Road

Legal Description: Lot 45, NCB 9483 (save and except 0.245 acres out of NCB 9483)

Total Acreage: 0.5907

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-1HS" General Industrial Historic Significant District by Ordinance 95311 dated February 14, 2002. The property was then rezoned from "I-1HS" 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 and Zoning Commission (11-0) 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 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. The historic designation will remain on 0.245 acres.

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 0.5907 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 Military has indicated that there is no objection to the request.

The applicant is requesting to remove the “HS” from a portion of the current “C-2 HS”, allowing the applicant to have a pole sign.

The original request was to remove the historic designation from the entire property. The Historic Design and Review Commission denied the applicant’s original request.

The applicant has since worked with the Office of Historic Preservation to maintain the historic designation on a significant portion of the property totaling 0.245 acres. The applicant is now requesting to rezone only the 0.5907 acres surrounding the historic site. OHP has reviewed the revised the request and agrees that this retains the overlay which is consistent with the HDRC recommendation.

As this case was continued to the March 17, 2020 Zoning Commission hearing, which was cancelled as a result of the emergency orders, staff republished and renoticed this case with the revised request.