



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-3651

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/18/2020

**Title:** ZONING CASE Z-2020-10700055 CD (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on Lot 2, Block 16, NCB 16526, located at 2206 Pinn Road. Staff and Zoning Commission recommend Approval, with Conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

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

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**  
Zoning Case Z-2020-10700055 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-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 19, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Abel Hernandez

**Applicant:** Abel Hernandez

**Representative:** Abel Hernandez

**Location:** 2206 Pinn Road

**Legal Description:** Lot 2, Block 16, NCB 16526

**Total Acreage:** 0.1722

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Cable Westwood Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property was annexed on April 22, 1974, by Ordinance 43495, and it was originally zoned as Temporary "R-1" Residence District. The Temporary "R-1" was then converted to "R-6" Residential Single Family with the adoption of the 2001 Unified Development Code by Ordinance 93881, dated May 3rd, 2001.

**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-3R"

**Current Land Uses:** Secondhand Retail Store

**Direction:** East

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

**Current Land Uses:** Single-Family Dwellings

**Direction:** West

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

**Current Land Uses:** Multifamily Apartments

**Direction:** South

**Current Base Zoning:** "C-3R"

**Current Land Uses:** Vacant Retail Store

**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. 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:** Pinn

**Existing Character:** Collector

**Proposed Changes:** None Known

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

Routes Served: 612

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not available at this time.

**Parking Information:** The parking minimum for Motor Vehicle Sales is 1 space per 500 square feet of gross floor area of sales and service building.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The present zoning district designation of “R-6” allows Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**Proposed:** The proposed “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. The “CD” would allow for motor vehicle sales.

### **FISCAL IMPACT:**

None.

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

The property is not part of a regional center but it is within a premium transit corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval, with Conditions.

Should Council choose to approve, the following Conditions are recommended:

- 1) Hours of Operation - Monday through Friday, 7:00a.m. - 6:00p.m., Saturdays 8:00a.m. - 5:00p.m. and Sundays 8:00a.m. to 3:00p.m.
- 2) A 15-foot landscape bufferyard abutting residential zoning and or uses.
- 3) No temporary signage: wind-wavers, pennants, snipe/bandit signs.

**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 “Suburban 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 does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. This enables development of a site on a commercial corridor and limits more intense commercial activities to a site plan. There is existing “C-3” General Commercial in the area, but the proposed “C-2” Commercial district is more appropriate and aligned with the designated land use.

### **3. Suitability as Presently Zoned:**

The current “R-6” zoning is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” is also appropriate zoning for the scale of the neighborhood, the classification of the street, and for the neighboring properties. The Conditional Use would allow the applicant to operate a “C-3” use, but potentially mitigate impact through the application of conditions like limited hours of operation, prohibition of temporary signage, landscape buffering and other similar restrictions.

### **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 West / Southwest Sector Plan:

ED-1.3 Stimulate and support increased activity of existing businesses

ED-2.4 Consider rezoning corridors and nodes to permit the mix of uses

The definition of Suburban Tier: Commercial uses in Suburban areas serve both neighborhood and community scale markets. Neighborhood commercial is appropriate at the intersection of residential streets and collectors, and should not encroach into residential areas. Neighborhood uses should be accessible by pedestrians. Community commercial should be located at the intersections of arterials and/or collectors. The intensity of the commercial use should not interfere with the character and density of nearby residential uses and adequate buffers should be maintained. Community commercial uses should be accessible by car and bike, and the commercial areas should be pedestrian friendly.

### **6. Size of Tract:**

The subject property is 0.1722 Acres, which could reasonably accommodate Commercial 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 applicant is rezoning to develop a small car lot.

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 are no objections to this request.