



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-5279

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/17/2020

**Title:** ZONING CASE Z-2020-10700165 (Council District 4): Ordinance amending the Zoning District Boundary from "DR MLOD-2 MLR-1 AHOD" Development Reserve Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot P-4C, Lot P-68, CB 430; Lot P-68, Lot P-4B, NCB 14493, generally located at 9300 Old Pearsall Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2020-09-17-0679

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2020-10700165

**SUMMARY:**

**Current Zoning:** "DR MLOD-2 MLR-1 AHOD" Development Reserve Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

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

**Case Manager:** Justin Malone, Planner

**Property Owner:** J.C. Pace, LTD.

**Applicant:** QuikTrip Corporation

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** Generally located at 9300 Old Pearsall Road

**Legal Description:** Lot P-4C, Lot P-68, CB 430; Lot P-68, Lot P-4B, NCB 14493

**Total Acreage:** 2.165

**Notices Mailed**

**Owners of Property within 200 feet:** 7

**Registered Neighborhood Associations within 200 feet:** People Active in Community Effort Neighborhood Association and Southwest Community Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 2019-12-12-1072, dated December 12, 2019 and zoned "DR" Development Reserve 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:** "C-3"

**Current Land Uses:** Gas Station

**Direction:** South

**Current Base Zoning:** "DR", "C-3 CD"

**Current Land Uses:** Vacant Land, Commercial Marketplace

**Direction:** East

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

**Current Land Uses:** Gas Station, Drive-Through Restaurant

**Direction:** West

**Current Base Zoning:** "DR"

**Current Land Uses:** Vacant Land

**Overlay and Special District Information:**

"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:** Old Pearsall Road

**Existing Character:** Second Arterial Type A

**Proposed Changes:** None known

**Thoroughfare:** SW Loop 410

**Existing Character:** Highway

**Proposed Changes:** None known

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**Traffic Impact:** Old Pearsall is identified on the City's Major Thoroughfare Plan as a Secondary Arterial Type A (86' ROW). ROW dedication may be required. Both Old Pearsall and Loop 410 are TxDOT roadways. TxDOT review of ROW and access is required.

**Parking Information:** The minimum parking requirement for a convenience store with gasoline is 6 per 1,000 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "DR" Development Reserve is a temporary zoning classification for newly-annexed property. This current zoning designation is appropriate for the current vacant land use.

**Proposed:** The proposed "C-2" Commercial zoning district accommodates community commercial uses. Examples of permitted uses include restaurants, gas stations, and auto and light truck repair, with no outdoor storage or display of goods except for outdoor dining.

**FISCAL IMPACT:**

None.

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

The subject property is adjacent to a Regional Center but is not located within the 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 located within the United Southwest Communities Land Use Plan and is currently designated as "Regional Commercial" in the future land use component of the plan. The requested "C-2" base-zoning district is consistent with the adopted land use.

**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. "C-2" Commercial is an appropriate zoning designation and is consistent with adjacent "C-3" zoning

districts and uses.

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

The current “DR” Development Reserve District is a temporary zoning that was applied during annexation. “DR” only permits single family uses similar to “R-6” zoning. Residential uses at an intersection of a highway and secondary arterial are not appropriate. The proposed “C-2” is more appropriate for the area and will provide more commercial options. It is also consistent with the current land development pattern.

### **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 United Southwest Communities Land Use Plan:

- **Goal 1: Economic Development**

Attract new businesses, services and retail establishments to the United Southwest Communities

- **Objective 1.1: Commercial Development**

Implement Strategies to attract commercial development

- **Action Steps: 1.1.1:** Seek commercial (non-residential) zoning along Loop 410 between Valley Hi Drive and Old Pearsall Road as identified in the land use plan

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

The subject property is 2.165 acres, which could reasonably accommodate a convenient store with gasoline sales.

### **7. Other Factors:**

The applicant is seeking the rezoning request to allow for commercial development, specifically for a convenience store with gas sales at the property.