City of San Antonio

Legislation Details (With Text)

File #:	21-2988
Type:	Zoning Case
In control:	Zoning Commission
On agenda:	4/20/2021
Title:	ZONING CASE Z-2021-10700047 CD (Council District 2): A request for a change in zoning from "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 CD MLOD-3 MLR-2 AHOD" General Commercial Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Manufactured Home/Oversize Vehicle Sales, Service or Storage and "C-3 CD AHOD" General Commercial Airport Hazard OVerlay District with Conditional Use for Manufactured Home/Oversize Vehicle Sales, Service or Storage on 13.102 acres out of NCB 16567, located at 9702 Interstate 10 East. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2021-11600011) (Michael Pepe, Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Map, 2. Site Plan

Date	Ver.	Action By	Action	Result

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:
Zoning Case Z-2021-10700047
(Associated Plan Amendment PA-2021-11600011)

SUMMARY:
Current Zoning: "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

Requested Zoning: "C-3 CD MLOD-3 MLR-2 AHOD" General Commercial Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Manufactured Home/Oversize Vehicle Sales, Service or Storage and "C-3 CD AHOD" General Commercial Airport Hazard Overlay District with Conditional Use for Manufactured Home/Oversize Vehicle Sales, Service or Storage

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: April 20, 2021

Case Manager: Michael Pepe, Planner

Property Owner: Oliver Truck Center LLC

Applicant: Oliver Truck Center LLC

Representative: Patrick Christensen

Location: 9702 Interstate 10 East

Legal Description: 13.102 acres out of NCB 16567

Total Acreage: 13.102

Notices Mailed
Owners of Property within 200 feet: 4
Registered Neighborhood Associations within 200 feet: None
Applicable Agencies: Texas Department of Transportation, Planning Department

Property Details
Property History: The property was annexed into the City San Antonio by Ordinance 61632 dated December 29, 1985 was originally zoned "B-3" Business District. The subject property converted from "B-3" to "C-3" General Commercial with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001.

Topography: The property does not include any abnormal physical features such as slope or flood plain.

Adjacent Base Zoning and Land Uses
Direction: North
Current Base Zoning: "UZROW"
Current Land Uses: Interstate 10

Direction: South
Current Base Zoning: "C-3"
Current Land Uses: Agricultural

Direction: East
Current Base Zoning: "C-3", "C-3 S"
Current Land Uses: Agricultural

Direction: West
Current Base Zoning: "C-3"
Current Land Uses: Agricultural

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-3"
All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" 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: IH-10
Existing Character: Interstate Highway
Proposed Changes: None known

Public Transit: There are no VIA bus routes are within walking distance of the subject property.

Traffic Impact: A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

Parking Information: The minimum parking requirement for Oversized Vehicle Sales is 1 space for every 300 square feet of sales building.

ISSUE:
None.

ALTERNATIVES:
Current: C-3 districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

Proposed: C-3 districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. The “CD” conditional use would allow for the expansion of the existing truck service business pursuant to a site plan.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The subject property is not located within a regional center nor is it located within the Premium Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff recommends Approval, pending Plan Amendment.

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 I-10 East Corridor Perimeter Plan and is currently designated as "Regional Commercial", "Urban Living", and "Park / Open Space" in the future land use component of the plan. The requested "C-3" base zoning district is not consistent with the adopted land use of "Urban Living" and "Park / Open Space". The applicant has requested a Plan Amendment to amend the whole parcel to "Regional Commercial" which would give the parcel a single consistent planning category. Staff and Planning Commission recommend Approval.

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 proposed "C-3 CD" allows only one additional use in addition to those permitted by right in the existing "C-3" General Commercial District.

3. Suitability as Presently Zoned:
The current "C-3" is an appropriate zoning for the property and surrounding area. The proposed "C-3 CD" is also an appropriate zoning as maintains the base zoning. The site also has good vehicular access to major roadways while being far removed from existing residential development. The "CD" Conditional Use allows consideration of Manufactured Home/Oversize Vehicle Sales, Service or Storage, which is limited to a site plan.

4. Health, Safety and Welfare:
Staff has not found indication of likely adverse effects on the public health, safety, or welfare. The full authorization of the existing non-conforming business allows for easier property maintenance and repair permitting.

5. Public Policy:
The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the I-10 East Corridor Perimeter Plan:
Provide opportunities for development of a range of commercial enterprises by re-evaluating the land uses along the Corridor to encourage appropriate development that would add value to the community. ·
Concentrate commercial facilities at designated locations, particularly intersections, in order to reduce unsightly strip development and adverse traffic impact upon residential areas using the following hierarchy and general locations:

6. Size of Tract:
The subject property is 13.102 acres, which could reasonably accommodate the requested commercial uses.

7. Other Factors:

The applicant is rezoning to allow for the expansion of the existing trucking business.

The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this 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.

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