



# City of San Antonio

## Agenda Memorandum

**File Number:** 19-5261

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**Agenda Item Number:** Z-10.

**Agenda Date:** 8/8/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700116

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-3 MLR-1 AHOD" General Commercial Martindale Army Airfield Military Lighting Overlay Military Region 1 Airport Hazard Overlay District

**Requested Zoning:** "L MLOD-3 MLR-1 AHOD" Light Industrial Martindale Army Airfield Military Lighting Overlay Military Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 2, 2019

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Lord of Life Lutheran Church

**Applicant:** Lord of Life Lutheran Church

**Representative:** Patrick Christensen

**Location:** Generally located at 5700 Tacco Rd

**Legal Description:** 1.835 acres out of NCB 17729

**Total Acreage:** 1.835 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 9

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Martindale Army Airfield

**Property Details**

**Property History:** The property was annexed into the City of San Antonio on December 30, 1985 by Ordinance 61620. On March 14, 1991, it was rezoned from Temporary “R-1” Single Family Residence District to “C-3” General Commercial by Ordinance 73276. The lot is currently vacant.

**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:** “I-1”

**Current Land Uses:** Construction Equipment Rentals

**Direction:** East

**Current Base Zoning:** “MH”, “C-3 NA”

**Current Land Uses:** Vacant, Office

**Direction:** South

**Current Base Zoning:** “C-3”

**Current Land Uses:** Church

**Direction:** West

**Current Base Zoning:** “I-1”

**Current Land Uses:** Truck Equipment Storage

**Overlay and Special District Information:**

"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.

“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:** Tacco

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes Served: 631 within ½ mile

**Traffic Impact:** A Traffic Impact Assessment Report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** For a construction equipment sales and service facility, the minimum parking is 1

parking space per 500 square foot GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-3” General Commercial District. 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.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center and is not 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 I-10 East Corridor Perimeter Plan and is currently designated as “Light Industrial” in the future land use component of the plan. The requested “L” 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. The area already has existing “C-3” and “I-1” zoning designations.

**3. Suitability as Presently Zoned:**

The current “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “L” allows development of a Construction Equipment Sales and Service Facility.

**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 I-10 East Corridor Perimeter Plan:

Industrial Land Use Goals:

- Provide for adequate buffers (landscaping berms, fences, walls, or open spaces) to mitigate adverse noise and visual impacts from non-residential uses.
- Adequately buffer industrial land uses from adjoining residential areas

**6. Size of Tract:**

The subject property is 1.853 acres, which could reasonably accommodate Light Industrial uses.

**7. Other Factors:**

The subject property is located within the Martindale Army Air Field 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.