



# City of San Antonio

## Agenda Memorandum

**File Number:**19-5646

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**Agenda Item Number:** 13.

**Agenda Date:** 8/6/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2019-10700143 S

**SUMMARY:**

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

**Requested Zoning:** "C-2 S MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Specific Use Authorization for Portable Building Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2019

**Case Manager:** Michael Pepe, Planner

**Property Owner:** J Sanchez Contracting

**Applicant:** Cook Properties of Texas

**Representative:** Tim Stuart

**Location:** 10905 State Highway 16 South and 10907 State Highway 16 South

**Legal Description:** Lot 19 and 20, Block 1, NCB 14551

**Total Acreage:** 2.04

**Notices Mailed**

**Owners of Property within 200 feet:** 10

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

**Applicable Agencies:** None.

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 39953 on October 28, 1971. The property was zoned from "UD AHOD" Urban Development to "C-2 AHOD" District by Ordinance 2012-03-15-0206 on March 15, 2012.

**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"

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Farmstead

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Mobile Home Sales Lot

### **Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. 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:** State Highway 16 South

**Existing Character:** Expressway

**Proposed Changes:** None Known

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

**Routes Served:** 48

**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 a Portable Build Sales Office is 1 per 300 square foot of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject reaming “C-2” General Commercial District, with no Specific Use Authorization. C-2 districts accommodate 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.

**FISCAL IMPACT:**

None.

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

The subject property is not within a regional center or the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Heritage South Sector Plan and is currently designated as “General Urban 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. The request would allow for the operation of a portable building sales facility on otherwise vacant commercial land. Similar uses exist in the surrounding area and the site has appropriate access to the highway corridor.

**3. Suitability as Presently Zoned:**

The current “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2 S” Commercial District with Specific Use Authorization for Portable Building Sales would also be appropriate for the area. The Specific Use Authorization also allows consideration of additional requirements such as: fencing, bufferyard/landscaping, hours of operation, limitations on signage and/or noise, another other similar requirements.

**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 Heritage South Sector Plan.

LU-3.1 Promote nodal development at appropriate locations where infrastructure (water and sewer) is adequate while preserving natural and historic resources

LU-5.2 Cluster high intensity commercial in regional centers to reduce “strip development”

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

The subject property is 2.04 Acres, which could reasonably accommodate commercial uses.

#### **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 purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but with may, under the right set of circumstances and conditions be acceptable in certain specific locations.