



# City of San Antonio

## Agenda Memorandum

**File Number:**19-8494

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**Agenda Item Number:** 8.

**Agenda Date:** 11/19/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2019-10700257

**SUMMARY:**

**Current Zoning:** "I-2 MLOD-2 MLR-2 AHOD" Heavy Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 19, 2019

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Product Market Building Corporation

**Applicant:** Frank DesRoches, PM, CFM

**Representative:** Frank DesRoches, PM, CFM

**Location:** Generally located northwest of the intersection of Merida Street and South Navidad Street

**Legal Description:** 7.5586 acres out of NCB A35

**Total Acreage:** 7.5586

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Collins Garden Neighborhood Association

**Applicable Agencies:** Lackland Airforce Base

### **Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned "M" Manufacturing District. The subject property converted from "M" to "I-2" Heavy Industrial District 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 incursion in a flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Railroad, Warehousing

**Direction:** East

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

**Current Land Uses:** Vacant

**Direction:** West

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

**Current Land Uses:** Auto Parts Store, Railroad

**Direction:** South

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

**Current Land Uses:** Warehousing, Car Repair

### **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:** Merida

**Existing Character:** Local

**Proposed Changes:** None Known

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

Route Served: 66, 103

**Traffic Impact:** A Traffic Impact Analysis (TIA) is in progress for this property, as noted in LAND-TIA-19-12800159.

**Parking Information:** The minimum parking requirement for a Pre-K through 12 Public School is 1 space per classroom.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property maintaining its current zoning of “I-2” Heavy Industrial.

**Current:** The “I-2” Heavy Industrial district allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling.

**Proposed:** “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 property is not part of a regional center, but it is within a 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 Guadalupe Westside Community Plan and is currently designated as “Low Density Mixed Use” in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future land use designation. The intended downzoning from “C-2” is in the spirit of the plan’s goals for the remediation of industrial uses near Zarzamora and the nearby residential area.

**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 constitutes a rezoning from the intense “I-2” Heavy Industrial which allows uses with potentially harmful sound, traffic, and pollution to the requested “C-2” Commercial District which would allow less intense uses and generate less heavy vehicle traffic.

**3. Suitability as Presently Zoned:**

The current “I-2” Industrial District is not an appropriate zoning for this neighborhood adjacent site, and its large size could allow for large scale manufacturing on a smaller thoroughfare. The requested “C-2”

Commercial District would be a more suitable zoning for the parcel and the surrounding area.

**4. Health, Safety and Welfare:**

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

Objective 13.1: Broaden Educational Opportunities For Individuals

Promote enhancements in area schools and other educational institutions/programs to increase their effectiveness and enrollment for all ages within the planning area.

Goal 2: Enhance Community Facilities

Enhance and improve the many schools, parks and other community facilities in the area and provide additional community facilities of all types to meet the community's needs.

Guadalupe Westside Definition of Mixed Use: New mixed use developments on larger scale sites should integrate with existing uses and road and pedestrian networks

**6. Size of Tract:**

The subject property is 7.5586 acres, which could reasonably accommodate commercial uses.

**7. Other Factors:**

The applicant intends to develop the site as Promesa Academy Charter School.

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.