



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 25, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

Zoning Case Z-2023-10700265

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2023. This item was continued from November 7, 2023.

**Case Manager:** Joseph Leos, Zoning Planner

**Property Owner:** Carlos Jimenez & Virginia Velaquez

**Applicant:** Orfa Trevino

**Representative:** Orfa Trevino

**Location:** 4525 West Commerce Street

**Legal Description:** Lot 37 and Lot 38, Block 14, NCB 8253

**Total Acreage:** 0.132

**Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** Prospect Hill and Las Palmas

**Applicable Agencies:** Military, Planning Department

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1258, dated August 2, 1944, and zoned “J” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “J” Commercial District converted to the current “I-1” General Industrial District.

**Code & Permitting Details:**

Minor Commercial Repair Permit (REP-CRP-PMT23-35400158) – April 2023

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "I-1"

**Current Land Uses:** Car dealer

**Direction:** East

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

**Current Land Uses:** Auto Shop

**Direction:** South

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

**Current Land Uses:** Restaurant

**Direction:** West

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

**Current Land Uses:** Tire Shop

**Overlay District Information:**

The "MLOD-2" Lackland Military Lighting Overlay District 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.

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** West Commerce Street

**Existing Character:** Primary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Southwest 29th Street

**Existing Character:** None

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 75, 76, 275

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for Auto and Vehicle Sales is 1 per 500 sf GFA of sales and service building. The maximum parking requirement for Auto and Vehicle Sales is 1 per 375 sf GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

Proposed Zoning: "C-3" General Commercial District is 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:**

Subject property is not located within the Regional Center but is within ½ a mile from the Commerce – Houston Premium Transit Corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
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 use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “I-1” General Industrial District is an appropriate zoning for the property and surrounding area. The requested “C-3” General Commercial District is a more appropriate zoning for the property and surrounding area. The proposed rezoning constitutes a downzoning from “I-1” General Industrial District to “C-3” General Commercial District. The requested zoning will reduce the intensity of uses on the property. The intended project matches the current development of the surrounding area and creates consistency of uses.
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 request does not appear to conflict with any public policy objective. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - JEC Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.
6. **Size of Tract:** The 0.132-acre site is of sufficient size to accommodate the proposed commercial development.
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 Military has indicated that there are *no objections* to this request.