



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 16, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2023-10700344 CD

**SUMMARY:**

**Current Zoning:** "RM-4 MLOD-2 MLR-1 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-2P CD MLOD-2 MLR-1 AHOD" Commercial Pedestrian Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Oversized Vehicle and Equipment Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 16, 2024

**Case Manager:** Kellye Sanders, Planning Coordinator

**Property Owner:** Douglas Carillo Gonzalez

**Applicant:** Douglas Carillo Gonzalez

**Representative:** Ortiz McKnight, PLLC

**Location:** 2227 and 2235 West Southcross Boulevard

**Legal Description:** The west 55 feet of the east 100 feet of the south 140 feet of Lot 24, the west 50 feet of the south 145.2 feet of Lot 24, and the east 50 feet of the south 145.2 feet of Lot 25, Block 7, NCB 8733

**Total Acreage:** 0.4936

**Notices Mailed****Owners of Property within 200 feet:** 11**Registered Neighborhood Associations within 200 feet:** Quintana Community**Applicable Agencies:** Lackland Air Force Base, Planning Department, TxDOT**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1259, dated August 02, 1944, and zoned “B” Residence District. The subject property was rezoned by Ordinance 47762, dated March 17, 1977, to “I-2” Heavy Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the subject property zoned “I-2” Heavy Industry District converted to “I-2” Heavy Industrial District. The subject property was rezoned by Ordinance 2009-06-18-0539, dated June 18, 2009, to “RM-4” Residential Mixed District.

**Code & Permitting Details:**

DEM-DEM-PMT22-39200089 – October 2022 – Demolition of residential home

INV-UDC-23-3130000502 – May 2023 – Several violations were reported including: (1) commercial use on residential zoned property, (2) unpermitted corrugated metal fence on property, (3) multiple metal trailer containers, commercial vehicles, equipment machinery and mobile toilet stored on property, and (4) incomplete demolition permit. Applicant resolved all items and property was found in compliance on November 8, 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:** L**Current Land Uses:** Metal Recycling Facility**Direction:** South**Current Base Zoning:** L**Current Land Uses:** Aircraft Support Equipment**Direction:** East**Current Base Zoning:** L, RM-4, C-1**Current Land Uses:** Vacant Land, Single-Family Residence, Auto Repair Shop**Direction:** West**Current Base Zoning:** RM-4, C-2**Current Land Uses:** Single-Family Residence, Auto Repair 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:**

N/A

**Transportation**

**Thoroughfare:** West Southcross Boulevard

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None known

**Thoroughfare:** New Laredo Highway

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None known

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

**Routes Served:** 515, 51

**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:** There is no maximum or minimum parking requirements for Parking and/or Storage Use.

**ISSUE:**

N/A

**ALTERNATIVES:**

Current Zoning: "RM-4" Residential Mixed District allows single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

Proposed Zoning: "C-2P CD" Commercial Pedestrian Districts are identical to C-2 districts except that there is a 35 foot maximum front setback, rear parking requirements, and additional window requirements.

The "CD" Conditional Use request is for Oversized Vehicle and Equipment Storage.

**FISCAL IMPACT:**

None

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

Subject property is not located within Regional Center and not within ½ a mile from a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, with Conditions.

If recommended for Approval, staff recommends Conditions:

An UDC permissible, 8-ft solid screen fence along the rear property line with no access easements or gates between 442 New Laredo Highway and the subject property.

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

1. **Consistency:** The subject property is located within the Kelly/South San Pueblo Community Plan, adopted February 2010, and is currently designated as "Mixed Use" in the future land use component of the plan. The requested "C-2P" 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 proposed use is consistent with the established development pattern of industrial and commercial uses in the area.
3. **Suitability as Presently Zoned:** The existing "RM-4" Residential Mixed District is not an appropriate zoning for the property and surrounding area. Residential redevelopment of the subject properties is not feasible as the property is surrounded by intense commercial and industrial uses. The proposed "C-2P CD" Commercial Pedestrian District with a Conditional Use for Oversized Vehicle and Equipment Storage is an appropriate zoning for the property and surrounding area. Over ninety percent of the block accommodates industrial uses, including metal recycling and auto repair, and the proposed rezoning request will limit the permitted use of the property to the outside storage of trucks, trailers, and other heavy machinery. The site will also be limited to the approved site plan, any deviation will require additional rezoning.
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 SA Tomorrow Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF Policy 14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Relevant Concepts, Goals, Objectives of the Kelly/South San PUEBLO Community Plan may include:

- 2007 Plan, Objective 3.2.1: Attractive, Diverse Businesses – discourage an over-abundance of auto-related and bargain stores in the area.
- 2007 Plan, Objective 3.2.4 - Discourage types of businesses that detract from the desired pedestrian quality of the street (e.g. day labor sites, pawn shops, tattoo parlors, and additional auto repair shops).
- 2010 Land Use Update: Increased Mixed Use along Major and Minor Corridors – increased Mixed Use along portions of major corridors such as New Laredo Highway, Somerset, Zarzamora, and Southcross in order to allow for more compatible uses.
- 2010 Land Use Update: preserves pockets of small-scale Mixed Use (commercial and residential) within Business Park blocks.

6. **Size of Tract:** The 0.4936 acre site is of sufficient size to accommodate the proposed development.
7. **Other Factors:** This rezoning resulted from Code Violations for storing and parking vehicles on a “RM-4” Residential Mixed District. The applicant has been informed that the subject property cannot under any circumstances be used in conjunction with the existing metal recycling business on the abutting property of 442 New Laredo Highway.

This is the second application for the change of zoning. The first application to rezone from “RM-4” to “IDZ-3” with uses permitted in “L” Light Industrial and Outside Storage, Z-2023-10700019, was submitted January 18, 2023. It was recommended for Denial by Staff and Zoning Commission and was withdrawn before City Council review. The applicant has resolved their various code violations and starting anew in hopes to use the area for vehicle and equipment storage.

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.

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.

The applicant is rezoning to develop Oversized Vehicle and Equipment Storage.