



City of San Antonio

Agenda Memorandum

Agenda Date: January 16, 2024

In Control: Zoning Commission Meeting

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 Oversize Vehicle 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**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: N/A**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

Thoroughfare: N/A

Existing Character: N/A

Proposed Changes: N/A

Public Transit: N/A

Traffic Impact: N/A

Parking Information: N/A

Thoroughfare: N/A

Existing Character: N/A

Proposed Changes: N/A

Public Transit: N/A

Traffic Impact: N/A

Parking Information: N/A

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: 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 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:

N/A

RECOMMENDATION:

Staff Analysis and Recommendation: N/A

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

1. **Consistency:** N/A
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:** N/A
4. **Health, Safety and Welfare:** N/A
5. **Public Policy:** N/A
 - 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: N/A

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.