



City of San Antonio

Agenda Memorandum

Agenda Date: May 18, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
Zoning Case Z-2023-10700019

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: "IDZ-3 MLOD-2 MLR-1 AHOD" High Intensity Infill Development Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with uses permitted in "L" Light Industrial District and Outside Storage

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 7, 2023

Case Manager: Adolfo Gonzalez

Property Owner: Douglas C. Gonzalez

Applicant: Douglas C. Gonzalez

Representative: Douglas C. Gonzalez

Location: 2235 West Southcross Boulevard

Legal Description: Lot 24, save and except the west 50 feet and the south 145.2 feet of Lot 24, and Lot 25, save and except the east 50 feet and the south 145.2 feet of Lot 25, Block 7, NCB 8733

Total Acreage: 0.3329

Notices Mailed**Owners of Property within 200 feet:** 15**Registered Neighborhood Associations within 200 feet:** Quintana Community Neighborhood Association**Applicable Agencies:** Lackland Airforce Base, Texas Department of Transportation**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.

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:** East**Current Base Zoning:** "RM-4"**Current Land Uses:** Vacant lot**Direction:** South**Current Base Zoning:** "L"**Current Land Uses:** Aircraft Support Equipment**Direction:** West**Current Base Zoning:** "RM-4"**Current Land Uses:** Residential Dwelling**Overlay District Information:**

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.

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.

Special District Information:

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

Transportation

Thoroughfare: 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: The minimum parking requirement for a Parking and/or Storage is not applicable.

“IDZ-3” waives the minimum parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “RM-4” Residential Mixed Districts 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: “IDZ-3” High Intensity Infill Development Zone allows rezoning requests of unlimited density, and uses permitted in “C-3”, “O-2” and “I-1”. All approved uses and maximum density must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The proposed “IDZ-3” will allow “L” Light Industrial uses and Outside 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 and Zoning Commission recommend Denial.

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 and is currently designated as "Mixed Use" in the future land use component of the plan. The requested "IDZ-3" base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area for this side of the block which is residential.
3. **Suitability as Presently Zoned:** The existing "RM-4" Residential Mixed District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-3" High Intensity Infill Development Zone with uses permitted in "L" Light Industrial and Outside Storage is not an appropriate zoning for the property and surrounding area. The proposed rezoning request is to permit the use of Outside Storage of trucks, trailers, and other heavy machinery. The applicant has been informed that the proposed uses and the submitted site plan that cannot be expanded without a major site plan amendment, which requires another rezoning.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. The site is proposed to store very large trucks, which can affect the traffic along West Southcross Boulevard. There is also potential that this property could be made into an extension of the existing metal recycling at 442 New Laredo Highway which requires more intense zoning of "I-2 S" Heavy Industrial with Specific Use Authorization for Metal Recycling and already has other Code issues that need to be addressed.
5. **Public Policy:** The request does not appear to conflict with any public policy objective of the Kelly/South San PUEBLO Community Plan. Goals and Objectives include:
 - Objective 2.3: Code Compliance-Educate residents on the importance of keeping a quiet, clean, and livable environment and complying with code regulations.
 - Strategy 2.3.3: Promote the use of the City's 311 Citizen Call Center for reporting illegal construction, dilapidated buildings, code violations, street problems, and safety concerns.
 - Objective 3.1: Business Cooperation-Encourage local business owners to work together to support each other, share financial advice and information, and improve the community.
 - Strategy 3.1.4: Research, utilize and promote programs and incentives that help new and existing small businesses. Encourage and support local existing small and new businesses

6. **Size of Tract:** The 0.3329 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 is rezoning to get the zoning in compliance. The applicant has been informed that the subject property cannot be used in conjunction with the existing metal recycling business. They have indicated that is for vehicle and equipment storage.

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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.