



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 3, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700180

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family 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:** September 3, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Reubina Becerra

**Applicant:** Mary Helen Becerra-Cruz

**Representative:** Mary Helen Becerra-Cruz

**Location:** 923 Northwest 24th Street

**Legal Description:** Lots 27-29, Block 27, NCB 3626

**Total Acreage:** 0.2755 acres

## **Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association and West End Hope in Action Neighborhood Association

**Applicable Agencies:** Lackland, Planning Department

## **Property Details**

The subject property was located within the original 36 square miles of the City of San Antonio and zoned "B" Residence District. The property was rezoned by Ordinance 60503, dated April 4, 1985, to "B-3 NA" Business Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3 NA" Business Non-Alcoholic Sales District converted to the current "C-3 NA" General Commercial Nonalcoholic Sales District. The property was rezoned by Ordinance 2023-08-03-0516, dated August 3, 2023, to "R-6" Residential Single-Family District.

**Code & Permitting Details:** There is no code enforcement of permitting history for the subject property.

**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:** "R-4"

**Current Land Uses:** Single-Family Dwellings

**Direction:** South

**Current Base Zoning:** "R-4," "R-6," "C-1"

**Current Land Uses:** Single-Family Dwellings, Smoke Shop, Laundromat

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-Family Dwellings

**Direction:** West

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-Family Dwellings

## **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:**

NA

**Transportation**

**Thoroughfare:** NW 24<sup>th</sup> Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known.

**Thoroughfare:** Arbor Place

**Existing Character:** Local road

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

Routes Served: 77, 277, 522

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The parking requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District permits single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: "C-2" Commercial 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:**

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of "C-1" Light Commercial District.

**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 find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is inconsistent with the established development pattern of the surrounding area. Surrounding properties are “R-4” Residential Single-Family and “C-1” Light Commercial.
3. **Suitability as Presently Zoned:** The existing “R-6” is an appropriate zoning for the property and surrounding area. The proposed “C-2” Commercial District is not appropriate for the development pattern of the area. The subject property is in close proximity to an established residential neighborhood. The proposed “C-2” Commercial District would introduce more intense commercial uses to the area. Thus, Staff recommends an alternate base zoning of “C-1” Light Commercial which is consistent with other established light commercial zoning in the 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:** The request does appear to conflict with any public policy objectives of the SA Tomorrow Comprehensive Plan:
  - **GCF Goal 5:** Growth and city form support improved livability in existing and future neighborhoods.
  - **GCF P10:** Develop a plan to preserve and maintain affordable housing within revitalizing neighborhoods and along transit corridors.
6. **Size of Tract:** The 0.2755-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, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.