



City of San Antonio

Agenda Memorandum

Agenda Date: December 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:
ZONING CASE Z-2023-10700267

SUMMARY:

Current Zoning: "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "C-2NA MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 7, 2023. This item was continued from the October 17, 2023.

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: Uvalde Place Partners, LLC

Applicant: Uvalde Place Partners, LLC

Representative: Killen, Griffin & Farrimond

Location: generally located in the 6000 block of Carmona Pass

Legal Description: Lot P-74E, NCB 15248

Total Acreage: 1.00

Notices Mailed**Owners of Property within 200 feet:** 15**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Lackland Air Force Base**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 41420, dated December 25, 1972, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 85733, dated March 13, 1997, to "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-1" Light Industry District converted to "I-1" General Industrial District. The property was rezoned by Ordinance 2006-06-15-0731, dated June 15, 2006, to "R-5" Residential Single-Family District.

Code & Permitting Details:

There is no code enforcement or permit 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:** C-2**Current Land Uses:** Vacant Property**Direction:** East**Current Base Zoning:** C-3**Current Land Uses:** Outdoor Storage**Direction:** South**Current Base Zoning:** C-2**Current Land Uses:** Vacant Property**Direction:** West**Current Base Zoning:** R-5**Current Land Uses:** Vacant and Residential Dwelling**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: SW Loop 410

Existing Character: Interstate

Proposed Changes: None known.

Thoroughfare: Carmona Pass

Existing Character: Local

Proposed Changes: None known.

Public Transit: There is no public transit within walking distance of the subject property.

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 outdoor storage is 1 space per 600 sf GFA. The maximum parking requirement for outdoor storage is 1 space per 250 sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-5" Residential Single-Family District permits single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 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.

The "NA" Nonalcoholic Sales, prohibits the sale of alcohol on the property.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located with the Port San Antonio Regional Center, and not within ½ a mile from a Premium Transit Corridor.

RECOMMENDATION:

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

The applicant amended during the Zoning hearing to add “NA” Nonalcoholic Sales to the request.

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 Port San Antonio Area Regional Center Plan, adopted December 2, 2021, and is currently designated as "Community Commercial" in the future land use component of the plan. The requested "C-2" 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 the surrounding area.
3. **Suitability as Presently Zoned:** The existing "R-5" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "C-2NA" Commercial Nonalcoholic Sales District is also an appropriate zoning for the property and surrounding area. The surrounding properties are zoned “C-3” General Commercial District, “C-3 NA” General Commercial Nonalcoholic Sales District, “C-2” Commercial District, and “R-5” Residential Single-Family District. The subject property abuts properties with “C-3” and “R-5” base zonings and would be a fluid transition from the more intense commercial from the east to the single-family residential community to the west. The proposed use would limit proposed uses by not permitting alcohol sales and would pose minimal impact to surrounding residential properties.
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 of the Port San Antonio Regional Center Plan. Goals and strategies may include:
 - Encourage business establishments that meet the day-to-day service and retail needs of residents, families, and area employees, allowing people to shop or obtain services locally.
 - Support mixed-use/retail development in properly located areas in order to attract prospective tenants, and to create active areas that provide shopping, dining, services, and entertainment options that serve local residents, employees, visitors, and transit patrons.
 - Identify locations for future housing options and mixed-use/retail development uses so that they are close in proximity to encourage a vibrant and active area
6. **Size of Tract:** The 1.00-acre site is of sufficient size to accommodate the proposed outdoor storage.
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.

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 permit outdoor storage.