



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 17, 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-2024-10700154

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2024. This case was continued from August 20, 2024.

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Agustina Vogt

**Applicant:** Richard Sanchez

**Representative:** Richard Sanchez

**Location:** 159 Castroville Road

**Legal Description:** the west 37.4 feet of Lot 1, NCB 7005

**Total Acreage:** 0.1136 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association, El Charro Neighborhood Association, Brady Gardens Community Organization

**Applicable Agencies:** Lackland Air Force Base, Planning Department

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and originally zoned “F” Local Retail District. The property was rezoned by Ordinance 75720, dated April 30, 1992, to “B-3R” Restrictive Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-3R” Restrictive Business District converted to “C-3R” General Commercial Restrictive Alcohol Sales District. The property was part of a Large Area Rezoning and rezoned by Ordinance 2023-08-03-0516, dated August 3, 2023, to the current “R-4” Residential Single-Family District.

### **Code & Permitting Details:**

Certificate of Occupancy- DBA Name Change (Thrift Store) – 1953252-1797239 – June 2012

Certificate of Occupancy- DBA Name Change (Tattoo Studio) – 1650978-1533046 – April 2009

Certificate of Occupancy Application- Pet Grooming – COO-APP24-37601358 – June 2024

**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:** East

**Current Base Zoning:** R-5, C-3R

**Current Land Uses:** Single Family Dwellings, Truck Rental Agency, Dollar Store

**Direction:** South

**Current Base Zoning:** C-3R

**Current Land Uses:** Flower Shop, Single Family Dwellings, Vehicle Storage

**Direction:** West

**Current Base Zoning:** C-3R, C-2

**Current Land Uses:** Flower Shop, Single Family Dwellings

### **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:**

None

**Transportation**

**Thoroughfare:** Castroville Road

**Existing Character:** Secondary Arterial type A

**Proposed Changes:** None known.

**Thoroughfare:** SW 21<sup>st</sup> Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 68, 268

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

**Parking Information:** The minimum parking requirement for Pet Grooming- small animals only is 1 space per 300 square feet of gross floor area.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "R-4" Residential Single-Family District- Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: "C-2NA" Commercial Nonalcoholic Sales District- C-2NA districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

**FISCAL IMPACT:**

None

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

The 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 for "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 not consistent with the established development pattern of the surrounding area.
- 3. Suitability as Presently Zoned:** The current "R-4" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "C-2NA" Commercial Nonalcoholic Sales District is not appropriate. The subject property abuts single-family residential to the north and east, and the proposed "C-2NA" zoning district and permitted uses would negatively impact the established residences. Staff recommends lowering the proposed zoning to "C-1" Light Commercial District to limit the size of building and commercial uses for more appropriate businesses to service the neighborhood. The property fronts a Secondary Arterial, which can adequately accommodate parking and ingress/egress.
- 4. Health, Safety and Welfare:** Staff has 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. Relevant goals and objects of the Comprehensive Master Plan may include:
  - GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
- 6. Size of Tract:** The 0.1136-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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant is requesting the change of zoning to open a pet grooming business.