



City of San Antonio

Agenda Memorandum

Agenda Date: December 5, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONING CASE Z-2023-10700272 CD

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-1 CD MLOD-2 MLR-2 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use For Motor Vehicles Sales

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 5, 2023

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Yesvic Investments, LLC

Applicant: Yesica Maria Elena Ramirez

Representative: Yesica Maria Elena Ramirez

Location: 376 Hawthorne Street

Legal Description: 0.1564 acres out of NCB 6677

Total Acreage: 0.1564 acres

Notices Mailed

Owners of Property within 200 feet: 21

Registered Neighborhood Associations within 200 feet: St. Leo's Neighborhood Association

Applicable Agencies: Lackland Airforce Base, Planning Department, Texas Department of Transportation

Property Details

Property History: Property History: The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned "C" Apartment District. The property was rezoned by Ordinance 85,113 to "R-1" Single-Family Residence District. With the adoption of the 2001 Unified Development Code, established by Ordinance 93881, on May 3, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

Code & Permitting Details:

There are no code or permitting details for the subject property.

Topography: The property does not include any abnormal physical features such as slope or incursion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-1"

Current Land Uses: Vacant commercial structure

Direction: South

Current Base Zoning: "R-6", "IDZ"

Current Land Uses: Residential Dwelling

Direction: East

Current Base Zoning: "R-6"

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: "UZROW", "R-5"

Current Land Uses: Interstate Highway 35, 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:

No special district information.

Transportation

Thoroughfare: Hawthorne Street

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Interstate Highway 35 Access Road

Existing Character: Freeway

Proposed Changes: None Known

Thoroughfare: Interstate Highway 35

Existing Character: Freeway

Proposed Changes: None Known

Public Transit: There are VIA bus routes within walking distance of the subject property.

Routes Served: 44, 46, 243

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 motor vehicle sales is 1 per 500 square feet of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: 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-1 CD" Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The proposed "CD" Conditional Use would permit Motor Vehicle Sales on the property.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

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 South-Central San Antonio Community Plan, adopted in August 1999 and updated in October 2005, and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-1” 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 current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “C-1” Light Commercial District with a Conditional Use for Motor Vehicle Sales is also appropriate. While the property is apart of an established residential neighborhood, the property abuts Interstate Highway 37 and is on a separate block from most of the residential neighborhood. This block is comprised of a mix of residential and light commercial zoning. This placement and proximity to a major highway makes it an appropriate location for commercial infill. The use will be subject to a prescribed site plan, which will regulate various development aspects such as the layout of the property, the placement of the vehicles, and the size of the structure. Deviation from the approved document could potentially warrant additional City Council consideration.
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.

Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- H Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Strategies of the South Central San Antonio Community Plan may include:

- Neighborhood Development/Environment Goal: Maintain and build on the old-fashioned neighborhood character of South Central San Antonio.

6. **Size of Tract:** The subject property is 0.1564 Acres, which can reasonably accommodate the proposed 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 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 a Motor Vehicle Sales location.