



City of San Antonio

Agenda Memorandum

Agenda Date: August 20, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2024-10700136 CD

SUMMARY:
Current Zoning: “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District

Requested Zoning: “R-4 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional use for Computer Software Retail

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: August 20, 2024

Case Manager: Bronte Frere, Zoning Planner

Property Owner: Argo Real Estate Investments LLC

Applicant: Argo Real Estate Investments LLC

Representative: Argo Real Estate Investments LLC

Location: 1529 Lee Hall

Legal Description: Lots 17 and 18, Block 91, NCB 7091

Total Acreage: 0.20 acres

Notices Mailed

Owners of Property within 200 feet: 22

Registered Neighborhood Associations within 200 feet: Los Angeles Heights

Applicable Agencies: Planning Department, TxDOT

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 1845, dated May 5, 1940, zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District.

Code & Permitting Details:

There is no code enforcement or 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: UZROW

Current Land Uses: Interstate Highway 10, Interstate Highway Access Road

Direction: South

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Dwellings

Direction: East

Current Base Zoning: UZROW

Current Land Uses: Interstate Highway 10, Interstate Highway Access Road

Direction: West

Current Base Zoning: "R-4"

Current Land Uses: 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.

Special District Information:

N/A

Transportation

Thoroughfare: Lee Hall

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Interstate Highway 10 Frontage Road

Existing Character: Interstate Highway Frontage Road

Proposed Changes: None known.

Public Transit: There are no VIA bus routes within a ½ mile 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 retail is 1 space per 300sf GFA. The maximum is 1 space per 200sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family District allows a 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: "R-4 CD" Residential Single-Family District allows a 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.

The Conditional Use is to allow for Computer Software Retail.

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 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 Near Northwest Community Plan, adopted February 2002, and is currently designated as "Urban Low Density Residential" in

the future land use component of the plan. The requested “R-4 CD” 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-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family District with a Conditional Use for Computer Software Retail is also appropriate. The rezoning request to “R-4 CD” will keep the residential base zoning for the property, which is characteristic of the surrounding area but allows a low intense commercial use to service and support the neighborhood. The subject property is appropriately located at the perimeter of the established residential neighborhood, acting as buffer for the residences from the IH-10 interstate. Conditional Uses also require a site plan, regulating the building size, height, and impervious coverage. Any expansion of these items would require additional City Council review.
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 public policy objectives. 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 P30:** Ensure infill development is compatible with existing neighborhoods.
 - **JEC Goal 1:** Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.

Relevant goals and objectives of the Near Northwest Community Plan may include:

- **Objective 2.2:** Create opportunities for new business development to ensure a diversity of attractive businesses in pedestrian friendly environments.
6. **Size of Tract:** The 0.20-acre site is of sufficient size to accommodate the proposed multi-family development.
 7. **Other Factors:** 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 Retail for Computer and Software.

The following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

No access may be allowed onto IH 10 Frontage. TxDOT is concerned with the zone change as it will generate an increase in traffic.