



City of San Antonio

Agenda Memorandum

Agenda Date: October 15, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:

ZONING CASE Z-2024-10700202

(Associated Plan Amendment PA-2024-11600075)

SUMMARY:

Current Zoning: "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "IDZ-3 MLOD-2 MLR-2 AHOD" High Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and 125 dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 15, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: George Delfierro

Applicant: George Delfierro

Representative: Patrick Christensen

Location: 350 Stonewall Avenue, 1126 Pleasanton Road, 1118 Pleasanton Road, 1116 Pleasanton Road, 1110 Pleasanton Road, and 1102-1108 Pleasanton Road

Legal Description: Lots 2-5, the east 49 feet of the west 140 feet of Lot 1, and the west 91 feet of Lot 1, Block 4, NCB 7798

Total Acreage: 1.3158 acres

Notices Mailed

Owners of Property within 200 feet: 46

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

Applicable Agencies: Lackland AFB, Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 1391, dated September 22, 1944, and zoned "J" Commercial District. The property was rezoned by Ordinance 83932, dated April 11, 1996, to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

Code & Permitting Details:

Certificate of Occupancy Application - La Cabana Nite Club (COO-APP23-37601260) June 2023

Topography: The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-2NA", "R-6"

Current Land Uses: Hair Salon, Single Family Dwellings

Direction: East

Current Base Zoning: "R-6", "RM-4"

Current Land Uses: Single Family Dwellings

Direction: South

Current Base Zoning: "C-3", "C-3R", "C-2NA"

Current Land Uses: Gas Station, Vacant Buildings

Direction: West

Current Base Zoning: "C-2", "R-6"

Current Land Uses: Restaurant, 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:

N/A

Transportation

Thoroughfare: Pleasanton Road

Existing Character: Minor Secondary arterial B

Proposed Changes: None Known

Thoroughfare: Stonewall Avenue

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: West Harlan Avenue

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 44, 243, 515, 43

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 requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b. The minimum parking requirements for DWELLING - attached apartments/condominiums with maximum density of 50 dwellings per gross acre (allowed ratio of 4 sq. ft. of residential floor use to 1 sq. ft. of nonresidential floor use) is 1 space per unit.

The "IDZ-3" base zoning district reduces parking requirements by fifty (50) percent.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted.

Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

Proposed Zoning: "IDZ-3" High Intensity Infill Development Zone allows rezoning requests of unlimited density, and uses permitted in "C-3", "O-2" and "I-1". All approved uses and maximum density must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The "IDZ" base zoning permits uses in "C-2" Commercial District and 125 dwelling units.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

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 Denial with an Alternate Recommendation of "IDZ-3" High Intensity Infill Development Zone with uses permitted in "C-2" Commercial District and 75 dwelling units.

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 1999, updated in 2005, and a portion is currently designated as "Low Density Residential" in the future land use component of the plan. The requested "IDZ-3" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Mixed Use". Staff and Planning Commission recommend Approval.
- 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 consistent with the established development pattern of the surrounding area. Surrounding properties are zoned "C-2" Commercial District, "C-2NA" Commercial Nonalcoholic Sales District, "R-6" Residential Single-Family District, and "RM-4" Residential Mixed District.
- 3. Suitability as Presently Zoned:** The existing "C-3" General Commercial District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-3" High Intensity Infill Zone with uses permitted in "C-2" Commercial District and 125 dwelling units is not appropriate. The request to rezone is to permit a mix of commercial and residential development, which would align with other uses along Pleasanton Road. However, staff has concerns with the density of 125 units, abutting the single-family residential on the block. Staff recommends "IDZ-3" High Intensity Infill Development Zone with uses permitted in "C-2"

Commercial District and 75 dwelling units. This recommendation allows a density more appropriate along the Pleasanton corridor but easier transition to the established single-family density to the east. The applicant will also have to adhere to the prescribed site plan. Any deviation from the approved document could potentially warrant additional council consideration.

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 appear to conflict with public policy. Relevant Goals and Policies of the Comprehensive Plan may include:
 - 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 close proximity to housing and where appropriate.
 - GCF P2: Identify and support catalyst projects which include a mix of housing types for a range of income levels and which attract additional employment.
 - GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
 - JEC Goal 2: Traditional and targeted growth industries support San Antonio's diversified economy and provide a wide range of job opportunities.
 - HPCH A10: Explore the creation of mixed-use zoning districts that would allow for the provision of neighborhood commercial uses adjacent to residential and historic areas, where appropriate.

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

- Land Use: Mixed uses are desired along the corridors S. Flores Street, Cevallos, S.W. Military Drive, S Presa Street, Pleasanton Road, Probandt Street, and Roosevelt Avenue.
 - Housing Objective 2: Encourage rehabilitation of existing homes and the construction of new housing.
 - Housing Strategy 2.1: Construct all types of infill housing on vacant lots throughout the entire community.
 - Objective 1 – Economic Development: Develop and enhance the community's commercial corridors by improving streetscape appearances and recruiting businesses to employ and provide goods/services to residents.
6. **Size of Tract:** The 1.3158 acre site is of sufficient size to accommodate the proposed commercial and residential 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.

The property is proposed for development of multifamily uses that shall not exceed 125 units.

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

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.