



City of San Antonio

Agenda Memorandum

Agenda Date: November 3, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONING CASE Z-2022-10700240 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 Air Conditioners - Retail

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 4, 2022. This case is continued from the September 20, 2022 hearing.

Case Manager: Joshua Orton, Senior Planner

Property Owner: Blanca Lopez

Applicant: Patrick Christensen, PC

Representative: Patrick Christensen, PC

Location: 114 Park Plaza

Legal Description: 1.081 acres (called 1.082 acres) of land, out of the remainder of Lot 24, Block 3, NCB 8250

Total Acreage: 1.081

Notices Mailed

Owners of Property within 200 feet: 24

Registered Neighborhood Associations within 200 feet: Memorial Heights

Applicable Agencies: NA

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 2590 dated September 5, 1945 and zoned "JJ" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "JJ" Commercial District converted to "I-1" General Industrial District. The property was rezoned to the current "R-6" Residential Single-Family by Ordinance 98010, dated August 14, 2003.

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-6

Current Land Uses: Single Family Residential

Direction: South

Current Base Zoning: C-2NA S

Current Land Uses: Telephone Equipment Infrastructure

Direction: East

Current Base Zoning: R-6

Current Land Uses: Single Family Residential

Direction: West

Current Base Zoning: R-6

Current Land Uses: Single Family Residential

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: N/A

Transportation

Thoroughfare: Park Plaza

Existing Character: Local Road

Proposed Changes: None Known

Thoroughfare: West Commerce Street

Existing Character: Secondary Arterial Type A

Proposed Changes: None Known

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

Routes Served: 6

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: One parking spot will be required for every 300 square feet of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-Family allows dwellings (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 “CD” Conditional Use would allow Air Conditioner – Retail.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is not within 1/2 a mile of the Downtown Regional Center and is within the Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 West/Southwest Sector Plan and is currently designated as “General Urban Tier” 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 existing "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “C-1” Light Commercial district is appropriate abutting residential properties and the “CD” Conditional Use allows consideration of Air Conditioner – Retail. The Conditional Use also allows conditions to be added where necessary.
- 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 objectives of the West/Southwest Sector Plan.

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

GCF Policy 14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Strategies of the West/Southwest Sector Plan may include:

Land Use Goal 1: Land use pattern emphasizes compatibility and appropriateness between uses and protects neighborhoods and businesses from incompatible land uses.

Land Use Strategy 1.1: Limit encroachment of commercial uses into established low-density residential areas.

Land Use Strategy 1.3: Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby.

Economic Development Goal 3: The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods.

6. **Size of Tract:** The 1.0962 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 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 operate an Air Conditioner – Retail business. A Type B, 15-foot landscape buffer is required abutting residential zoning and/or uses as well as, a 6-foot solid screen fence.