



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 15, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**  
ZONING CASE Z-2023-10700097

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 16, 2023

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** LJ Investments LLC

**Applicant:** Lorraine Bass

**Representative:** Lorraine Bass and Juan Bass

**Location:** Generally located in the 100 Block of East Baetz Boulevard

**Legal Description:** Lot 124, Block 11, NCB 11107

**Total Acreage:** 0.289 acres

**Notices Mailed****Owners of Property within 200 feet:** 15**Registered Neighborhood Associations within 200 feet:** NA**Applicable Agencies:** Stinson Airport, Lackland Army Base, Planning Department**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 24, 1952 by Ordinance 18115, and was originally zoned "B" Residence District. The property was rezoned by Ordinance 61,780 to "R-2" Two-Family Residence District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001 the property zoned "R-2" Two-Family Residence District converted to the current "RM-4" Residential Mixed District.

**Topography:** The property does not include any abnormal physical features such as slope; while it does abut the 100 year flood plain, there is no incursion into the flood plain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "C-2NA"**Current Land Uses:** Drainage, vacant**Direction:** South**Current Base Zoning:** "R-6" "MF-33"**Current Land Uses:** Apartment building, Residential dwellings**Direction:** East**Current Base Zoning:** "RM-4"**Current Land Uses:** Residential dwellings, church**Direction:** West**Current Base Zoning:** "C-3NA"**Current Land Uses:** Car lot, professional office, auto repair shop**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:** Moursund Boulevard

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None Known

**Thoroughfare:** East Baetz Boulevard

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 43, 44, 243

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

**Parking Information:** There is no minimum parking requirement for a professional office is 1 parking space per 300 square feet of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "RM-4" Residential Mixed District permits single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

Proposed Zoning: "C-2" Commercial Districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center and is not within ½ mile of a 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 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 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. The property is situated on an intersection with other medium level intensity uses, and directly abuts a large tract of land zoned “C-2NA”.
3. **Suitability as Presently Zoned:** The current “RM-4” Residential Mixed District is an appropriate zoning for the property and surrounding area. The proposed “C-2” Commercial District is also appropriate. The property shares an intersection with other properties zoned “C-3NA” General Commercial Nonalcoholic Sales District. Properties to the north of the subject property are zoned “C-2NA” Commercial Nonalcoholic District and “C-1” Light Commercial. Additionally, the property is at the intersection of a local street and a secondary arterial, which can reasonably accommodate commercial use and access to the property.
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 SA Tomorrow Comprehensive Plan:
  - GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
  - 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 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 subject property is 0.289 Acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to rezone to “C-2” Commercial District, to utilize the existing structure for professional offices.

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.