



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 2, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2023-10700241

**SUMMARY:**

**Current Zoning:** "I-2 RIO-7E MLOD-2 MLR-2 AHOD" Heavy Industrial River Improvement Overlay 7E Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 IDZ RIO-7E MLOD-2 MLR-2 AHOD" Commercial Infill Development Zone Overlay River Improvement Overlay 7E Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 3, 2023

**Case Manager:** Kellye Sanders, Planning Coordinator

**Property Owner:** Lachapelle LLC

**Applicant:** Lachapelle LLC

**Representative:** P.W. Christensen, P.C.

**Location:** 119 and 135 West Lachapelle Street

**Legal Description:** 0.901 acres out of NCB 2827

**Total Acreage:** 0.901

**Notices Mailed**

**Owners of Property within 200 feet:** 11

**Registered Neighborhood Associations within 200 feet:** Collins Garden

**Applicable Agencies:** Lackland Air Force Base, Office of Historic Preservation, Planning Department

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “L” First Manufacturing District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “L” First Manufacturing District converted to the current “I-2” Heavy Industrial 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:** I-2, I-1

**Current Land Uses:** Vacant Warehouse

**Direction:** South

**Current Base Zoning:** I-2

**Current Land Uses:** Granite Supplier, Gymnasium, Auto Paint and Body Shop

**Direction:** East

**Current Base Zoning:** I-1

**Current Land Uses:** Vacant Manufacturing Building and Warehouse

**Direction:** West

**Current Base Zoning:** I-2

**Current Land Uses:** Vacant Warehouse

**Overlay District Information:**

The "RIO-7E" River Improvement Overlay District is an overlay district to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

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:**

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

**Transportation**

**Thoroughfare:** West Lachappelle

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** Nogalitos Street

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** South Flores Street

**Existing Character:** Local

**Proposed Changes:** None known

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

**Routes Served:** 43, 44, 51, 243, 251

**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 Gymnasium is 1.5 space per 1,000 sf GFA. The maximum parking requirement for Gymnasium is 10 spaces per 1,000 sf GFA.

“IDZ” as an overlay district waives the minimum parking requirement.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: “I-2” Heavy Industrial District allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling.

Proposed Zoning: "C-2" Commercial District will 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:**

Subject property is not located within a Regional Center but is within ½ a mile from the Rockport Subdivision Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial with an Alternate Recommendation of "C-2" without the IDZ Overlay. Zoning Commission 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 Lone Star Community Plan and is currently designated as "High Density Mixed Use" in the future land use component of the plan. The requested "C-2" 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 "I-2" Heavy Industrial District is an appropriate zoning for the property and surrounding area. The proposed "C-2" Commercial District is a more appropriate zoning for the property and surrounding area. It constitutes a downzoning of the heavy industrial zoning in the area. The location is located in the middle of multiple bus stops along Nogalitos Street and South Flores Street, meeting the criteria for transportation and connectivity. The lower intense zoning would promote Lone Star Community Plan's goals of phasing out industrial uses that do not comply with their performance standards, attracting office, retail and service uses, and reusing existing buildings and site redevelopment. Waiving the parking requirement with the "IDZ" Overlay is not appropriate in an area that already struggles with parking and traffic, due to the nearby KIPP Academy.
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 objective.

Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
- GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
- GCF Goal 5: Growth and city form support improved livability in existing and future 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 Strategies of the Lone Star Community Plan may include:

- LU-1: Establish performance standards for industrial uses. Phase out industrial uses that do not comply with performance standards with a combination of zoning changes and relocation assistance.
- LU-3: Attract/retain office, retail, and service uses through zoning and development incentives.
- Strategy LU-3.1: Rezone to ensure a community-scale grocery store and neighborhood-scale retail and service businesses such as neighborhood dry cleaners, coffee shops, restaurants, pharmacies, bike shops, and fitness centers are permitted where appropriate. Utilize "special zoning districts" to reduce minimum off-street parking space requirements to facilitate the reuse of existing sites.
- LU-4: Utilize Brownfields Program to facilitate the redevelopment of vacant buildings and contaminated sites.

- 6. Size of Tract:** The 0.901 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, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

This property is designated in the RIO-7E district. Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Office of Historic Preservation for this project.