



City of San Antonio

Agenda Memorandum

Agenda Date: November 2, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

ZONING CASE Z-2023-10700203

(Associated Plan Amendment PA-2023-11600054)

SUMMARY:

Current Zoning: "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 19, 2023. This case was continued from September 5, 2023.

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Vigo Properties, LLC

Applicant: Vigo Properties, LLC

Representative: Ortiz McKnight PLLC

Location: 226 Sherwood Drive

Legal Description: Lot 14, Block 2, NCB 8417

Total Acreage: 0.948

Notices Mailed

Owners of Property within 200 feet: 19

Registered Neighborhood Associations within 200 feet: Los Angeles Heights

Applicable Agencies: Planning Department

Property Details

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

Code & Permitting Details

There is no relevant code enforcement history for the subject property.

DEM-PMT23-39200140 (Demolition Permit of Single-Family Residence) – May 2023

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: "C-2"

Current Land Uses: Office

Direction: East

Current Base Zoning: "R-5"

Current Land Uses: Single-Family Dwelling

Direction: South

Current Base Zoning: "R-5"

Current Land Uses: Single-Family Dwelling

Direction: West

Current Base Zoning: "C-2 CD" Conditional Use Construction Trades

Current Land Uses: Vacant

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:

None.

Transportation

Thoroughfare: Sherwood Drive

Existing Character: None

Proposed Changes: None Known

Thoroughfare: Vance Jackson Road

Existing Character: Secondary Arterial B

Proposed Changes: None Known

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

Routes Served: 96, 296

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: There is not a minimum and maximum parking requirement for a noncommercial parking lot.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-5" Residential Single-Family District allows a single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

Proposed Zoning: "C-2NA" Commercial Nonalcoholic Sales District is identical to "C-2" districts except that the sale of alcoholic beverages is prohibited.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is not located within any Regional Center or within a half mile of any Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial. 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 Near Northwest Community Plan and is currently designated as "Urban Low Density Residential" in the future land use component of the plan. The requested "C-2NA" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Community Commercial". Staff recommends Denial and Planning Commission recommends Approval.
2. **Adverse Impacts on Neighboring Lands:** Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. While the properties to the north of the subject property have commercial zoning designations, they are accessed and addressed off of the Interstate 10 access road and serve as a buffer between the highway and the residential properties in the southern block where the subject property is located.
3. **Suitability as Presently Zoned:** The existing "R-5" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "C-2NA" Commercial Nonalcoholic Sales District is not appropriate. The applicant is requesting to rezone "C-2NA" to permit a noncommercial parking lot on the property for a business across the street. Although there are established commercial uses and commercial zoning on Sherwood Drive, a local street, all have the appearance of residences and are located closer to Interstate 10 and Vance Jackson Road, a secondary arterial, where commercial uses are already established. The proposed rezoning constitutes further commercial encroachment into a residential neighborhood.
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 not appear to conflict with any public policy objectives of the Comprehensive Plan and the Near Northwest Community Plan.

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.
- 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.
- 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:

- Goal 2 - Economic Development - Ensure the Near NW Community's business corridors are filled with a mix of uses including professional offices, residences and busy shops, providing neighbors an attractive place to walk for shopping, playing, working and relaxing both day and night.
- Objective 2.2: Business Development - Create opportunities for new business development to ensure a diversity of attractive businesses in pedestrian friendly environments.

6. Size of Tract: The 0.948-acre site is of sufficient size to accommodate the proposed commercial development.

7. Other Factors: The applicant intends to construct a noncommercial parking lot.