



City of San Antonio

Agenda Memorandum

Agenda Date: February 1, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:

Zoning Case Z-2021-10700337
(Associated Plan Amendment PA-2022-11600003)

SUMMARY:

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 1, 2022

Case Manager: Rebecca Rodriguez, Planner

Property Owner: Cipriano and Josefina Espino

Applicant: Bain Medina Bains, Inc.

Representative: Primitivo Araujo Jr

Location: 7819 Pipers Creek Street

Legal Description: Lot 19, Block 7, NCB 18057

Total Acreage: 0.6990

Notices Mailed

Owners of Property within 200 feet: 12

Registered Neighborhood Associations within 200 feet: Piper's Meadow Neighborhood Association

Applicable Agencies: Lackland Airforce Base

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 61624, dated December 30, 1985, and zoned TEMP "R-1" Single-Family Residence District. The southwest corner of the property was rezoned by Ordinance 93429, dated February 8, 2001, to "B-3NA" Business, Nonalcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3NA" Business, Nonalcoholic Sales District converted to the current "C-3NA" General Commercial Nonalcoholic Sales District, and the property zoned TEMP "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

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-3NA

Current Land Uses: Self-Storage Facility

Direction: South

Current Base Zoning: MF-33

Current Land Uses: Vacant Lot

Direction: East

Current Base Zoning: R-6

Current Land Uses: Church

Direction: West

Current Base Zoning: C-3

Current Land Uses: Food Service Establishment

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:

None.

Transportation

Thoroughfare: Pipers Creek

Existing Character: Local

Proposed Changes: None

Thoroughfare: Culebra Road

Existing Character: Primary Arterial A

Proposed Changes: None

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

Routes Served: 618

Traffic Impact: Prior to submittal at time of building permit and/or plat site plan will be required. All Substandard Street improvements can be reviewed as part of the associated plat, the option of submitting an SIP is also available which will be required at time of Building permit.

Parking Information: The minimum parking requirement will be determined when the proposed use is established.

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.

“C-3NA” General Commercial Nonalcoholic Sales districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited. R-6 Single-family dwelling (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-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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not within a Regional Center or within the Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate Recommendation of “C-2” Commercial District.

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 Sector Plan and is currently designated as General Urban Tier in the future land use component of the plan. The requested “C-3” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to Regional Center. Staff recommends Denial. The Planning Commission recommendation is pending the February 23, 2022, hearing.
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 not consistent with the established development pattern of the surrounding area. The “C-3” General Commercial Districts in this area are located off Culebra Road.
3. **Suitability as Presently Zoned:** The existing “C-3NA” General Commercial Nonalcoholic Sales District and “R-6” Residential Single-Family District is not an appropriate zoning for the property. The proposed “C-3” General Commercial District is also not appropriate due to the proximity of an established residential neighborhood from the subject site. “C-3” General Commercial District are generally found in proximity to other commercial centers and away from residential uses. Staff’s alternate recommendation of “C-2” Commercial District will limit the intensity of uses permitted by right and is more appropriate for the area.
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 appear to conflict with public policy objectives. The proposed zoning change will not meet the following principles of the West Sector Plan:

ED-3.1 Ensure the development of new business locations and employment centers are compatible with the West/Southwest Sector Land Use Plan.

LU-1.1 Limit encroachment of commercial uses into established low-density residential areas.

LU-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.

LU-3.1 Consider re-zoning corridors in accordance with the West/Southwest Sector Land Use Plan.

- 6. Size of Tract:** The 0.6990 acre site is of sufficient size to accommodate a 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 applicant is requesting to rezone from “C-3NA” and “R-6” to “C-3” in order to develop a retail shopping center.