



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 3, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2021-10700280

(Associated Plan Amendment PA-2021-11600109)

**SUMMARY:**

**Current Zoning:** "NP-10 MLOD-2 MLR-1 AHOD" Neighborhood Preservation Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Warehousing

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 3, 2022

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** Rasol Salehi

**Applicant:** Rasol Salehi

**Representative:** Rasol Salehi

**Location:** 9098 South Interstate Highway 35

**Legal Description:** Lot P-1A, NCB 11295

**Total Acreage:** 5.0 acres

**Notices Mailed****Owners of Property within 200 feet:** 8**Registered Neighborhood Associations within 200 feet:** NA**Applicable Agencies:** Lackland**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 68300, dated December 30, 1988 and zoned Temporary "R-1" One Family Residence District. The property rezoned under Ordinance 69287 dated April 13, 1989 from Temporary "R-1" One Family Residence District to "R-1" Residence-Agriculture District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Residence-Agriculture District converted to the current "NP-10" Neighborhood Preservation District.

**Topography:** A portion of the property is located in the Aquifer Artesian Zone and Leon Creek Watershed.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** UZROW, R-4, NP-10**Current Land Uses:** Interstate, Empty Land**Direction:** South**Current Base Zoning:** MF-33**Current Land Uses:** Empty Land, Multi-Family**Direction:** East**Current Base Zoning:** MF-33, NP-10, R-4**Current Land Uses:** Multi-Family Complex**Direction:** West**Current Base Zoning:** R-4**Current Land Uses:** Empty Land**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:** South Interstate 35 Access Road / South Interstate 35

**Existing Character:** Interstate

**Proposed Changes:** None

**Public Transit:** None.

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

**Parking Information:** The minimum parking requirement is 1 per 5,000 sf GFA.

**ISSUE:** None.

**ALTERNATIVES:**

Current Zoning: "NP-8" Neighborhood Preservation Districts have uses that are the same as within the "R-6" zoning district. Designed to protect existing platted subdivisions which are substantially developed with single-family detached dwelling units. (8,000 sq. ft. minimum lot size for NP-8, 10,000 sq. ft. minimum lot size for NP-10, and 15,000 sq. ft. minimum lot size for NP-15)

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.

The proposed "CD" Conditional Use would allow for Warehousing.

**FISCAL IMPACT:**

None.

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

The subject property is located within proximity to a Premium Transit Corridor and is not within proximity to a Regional Center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 "Agribusiness Tier" in the future land use component of the plan. The requested "C-2" General Commercial base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Suburban Tier". Staff

recommends Approval. The Planning Commission recommendation is pending the April 27, 2022 hearing.

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. Surrounding properties are primarily "R-4" Residential Single-Family Districts, "MF-33" Multi-Family Districts, and "NP-10" Neighborhood Preservation Districts. A medium intensity commercial designation of "C-2" Commercial District is an appropriate designation given the site's location on a major thoroughfare and the adjacent vacant land and compatible land uses.
3. **Suitability as Presently Zoned:** The existing "NP-10" Neighborhood Preservation District is an appropriate zoning for the property and surrounding area. The proposed "C-2 CD" Commercial District with a Conditional Use for Warehousing is also an appropriate zoning for the property and surrounding area. Additionally, any potential adverse impacts can be mitigated with the required site plan and any necessary conditions.
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 public policy objectives of the West/Southwest Sector Plan.

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

Goal LU-1 Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses

Goal LU-3 Existing corridors are transformed and new corridors are carefully planned to create dynamic, mixed-use, pedestrian oriented nodes that are integrated into the surrounding community

Goal LU-4 Scenic transportation corridors are identified and protected to preserve their cultural, aesthetic, and natural value

Goal LU-6 Tools are developed and strategies implemented so that established farms/ranches can be preserved

Goal LU-8 Established rural communities maintain their rural character

6. **Size of Tract:** The 5.0 acre site is of sufficient size to accommodate the proposed Commercial uses and development.
7. **Other Factors:** The applicant seeks to utilize the property for warehousing.

The subject property is located within the Lackland Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there is no objection to the request.

