



City of San Antonio

Agenda Memorandum

Agenda Date: April 19, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONING CASE Z-2022-10700024 CD

(Associated Plan Amendment PA2022-11600011)

SUMMARY:

Current Zoning: "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-2NA CD MLOD-2 MLR-2 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 19, 2022. This case is continued from the March 15, 2022 hearing.

Case Manager: Corin Hooper, Senior Planner

Property Owner: J. Enrique Marroquin & Rosalia Marroquin

Applicant: Julio C. Marroquin

Representative: Julio C. Marroquin

Location: 525 Prado Street

Legal Description: Lot 37 and Lot 36, (save and except for the northwest triangular 4.52 feet), Block 18, NCB 3921

Total Acreage: 0.1435

Notices Mailed

Owners of Property within 200 feet: 25

Registered Neighborhood Associations within 200 feet: Lone Star Residents Association

Applicable Agencies: Lackland

Property Details

Property History: The subject property is part of the city's original 36 square miles and was zoned "C" Apartment District. The subject property was rezoned by Ordinance 85113 dated November 7, 1996 to "R-1" Single Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the subject property zoned "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-3"

Current Land Uses: Auto Service Shop

Direction: South

Current Base Zoning: "MF-33"

Current Land Uses: Multi-Family Housing

Direction: East

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Residential

Direction: West

Current Base Zoning: "UZROW"

Current Land Uses: Interstate Highway 35

Overlay District Information:

The Military Lighting Overlay District "MLOD-2" 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: Prado

Existing Character: Minor

Proposed Changes: None Known

Public Transit: There are two routes within walking distance.

Routes Served: 46, 246

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

Parking Information: Parking requirements for auto and vehicle sales are at least 1 per 500 square feet of gross floor area of sales and service building and 1 per 375 square feet of gross floor area of sales and service building.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: The “R-6” Residential Single-Family district allows dwellings (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: The “C-2NA CD” 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 NA” Nonalcoholic Sales prohibits the sale of alcohol on the subject site.

The proposed “CD” Conditional Use would allow Motor Vehicle Sales.

FISCAL IMPACT: None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within ½ a mile from a transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial. Zoning Commission recommends Approval, with Conditions.

The proposed Conditions are as follows:

1. Hours of operation: Monday through Saturday from 9:00a.m. to 6:00p.m.
2. No temporary signage
3. No outdoor amplification

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 Downtown Area Regional Center Plan and is currently designated “Neighborhood Mixed Use” in the future land use component of the plan. The requested “C-2 CD” base zoning district is not consistent with the future land use designation. The applicant requested a Plan Amendment to “Community Commercial.” Staff and Planning Commission recommend Denial.
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.
3. **Suitability as Presently Zoned:** The existing “R-6” Single Family Residential District is an appropriate zoning for the property and the surrounding area. The site is currently developed with a single-family home. Additionally, the majority of the block is zoned “R-6” Residential Single-Family and is developed with homes with the exception of the property to the north of the subject site which is zoned “C-3” General Commercial and is business operating automobile repair.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. The change in zoning will provide further encroachment into a primarily residential area.
5. **Public Policy:** The request does appear to conflict with any public policy of the SA Tomorrow Comprehensive Plan and the Downtown Area Regional Center Plan.

Goal 1: Preserve and Enhance Downtown’s Authenticity

Goal 6: Broaden the Diversity of Housing Options throughout the Downtown Core and its Neighborhoods

Goal 8: Promote Safety, Health, and Sustainability

6. **Size of Tract:** The 0.1435-acre site is not 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,

JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant would like to develop automobile sales in connection with the auto repairs in on the lot to the north zoned “C-3” General Commercial.

Rezoning to “C-2” Commercial District could also necessitate the need for variances to the Board of Adjustment for buffer yard requirements (15-ft Type B Landscape Buffer) and the required 10-foot side setback abutting residential zones and uses.