



City of San Antonio

Agenda Memorandum

Agenda Date: August 4, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONING CASE Z-2022-10700121 S

SUMMARY:

Current Zoning: "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "C-2 NA S MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Specific Use Authorization for Party House, Reception Hall, and Meeting Facilities

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: June 7, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: Elizabeth Ortiz

Applicant: Amanda Ramirez

Representative: Amanda Ramirez

Location: 1411 Brady Boulevard

Legal Description: Lot 40, Block 33, NCB 8115

Total Acreage: 1.0031

Notices Mailed**Owners of Property within 200 feet:** 15**Registered Neighborhood Associations within 200 feet:** Westwood Square**Applicable Agencies:** Texas Department of Transportation, Lackland Air Force Base**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" 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:** MF-33**Current Land Uses:** Residential Dwelling**Direction:** South**Current Base Zoning:** UZROW**Current Land Uses:** Cleto Rodriguez Freeway**Direction:** East**Current Base Zoning:** R-4**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** I-1 and C-3 R**Current Land Uses:** Motor Vehicle Sales and Collision Repair**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. 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.

Special District Information: N/A**Transportation****Thoroughfare:** Brady Boulevard**Existing Character:** Local

Proposed Changes: None Known

Thoroughfare: US Hwy 90

Existing Character: Interstate

Proposed Changes: None Known

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

Routes Served: 66, 268, 524

Traffic Impact: The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502 A TIA Report is not required.

Parking Information: The minimum parking requirement for a Party House, Reception Hall, Meeting Facilities is 1.5 spaces per 1,000 sqft GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family district allows dwellings (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: "C-2 NA S" 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 addition of the NA prevents any alcohol sales on the property.

The "S" Specific Use Authorization would allow for Party House, Reception Hall, and Meeting Facilities.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within 0.5 miles of the Port San Antonio Regional Center and within ½ a mile from the General McMullen-Babcock Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval with Conditions.

The recommended Conditions are:

1. no outdoor amplification
2. Hours of operation Monday through Thursday 11 am to 10 pm and Friday through Sunday 11 am to midnight.
3. 6-foot solid screen fencing abutting residential zoning and uses along the east and north sides of the subject property

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
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 “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “C-2 S” Commercial District with a Specific Use Authorization for a Party House, Reception Hall and Meeting Facilities is also appropriate along the US-90 Corridor and provides a buffer between properties zoned residential and industrial. The Specific Use Authorization requires a site plan and holds the applicant to the proposed scale of their proposed development. Additional conditions may also be imposed on the proposed use as needed such as hours of operation, additional buffering and temporary signage limitations.
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 rezoning request is not within a neighborhood or community plan.
6. **Size of Tract:** The 1.0031 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to repurpose the existing church into a meeting facility, event venue. 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 purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is rezoning to develop a Party House, Meeting Facility, Reception Hall. The zoning request includes a request for nonresidential uses or multifamily uses adjacent (refer to definition in Appendix A as there is a difference between abutting and adjacent) to an existing single family residential use, the applicant is required to construct and maintain a 6 foot solid screen fence, prior to obtaining a Certificate of Occupancy, per Section 35-514(d). The applicant can request City Council modify or exempt this requirement.