



City of San Antonio

Agenda Memorandum

Agenda Date: December 1, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:

ZONING CASE Z-2022-10700249 S

SUMMARY:

Current Zoning: "C-3 H RIO-6 AHOD" General Commercial Historic Mission River Improvement Overlay 6 Airport Hazard Overlay District

Requested Zoning: "C-2 S H RIO-6 AHOD" Commercial Historic Mission River Improvement Overlay 6 Airport Hazard Overlay District with a Specific Use Authorization for Bail Bond Agency

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 4, 2022

Case Manager: Ann Benavidez, Planner

Property Owner: Roy Mireles

Applicant: Luis Garcia Jr.

Representative: Luis Garcia Jr.

Location: 1538 Southeast Military Drive

Legal Description: 600 square feet out of Lot 47, NCB 11175

Total Acreage: 0.0137 Acres

Notices Mailed

Owners of Property within 200 feet: 7

Registered Neighborhood Associations within 200 feet: Hot Wells Mission Reach

Applicable Agencies: Office of Historic Preservation, Stinson-Mission Municipal Airport, Texas Department of Transportation, World Heritage Office

Property Details

Property History: The subject property is currently zoned "C-3 H RIO-6 AHOD" General Commercial Historic Mission River Improvement Overlay 6 Airport Hazard Overlay District. The property was annexed into the City of San Antonio by Ordinance 18115 dated September 24, 1952 and was originally zoned "JJ" Commercial District. The property was rezoned by Ordinance 62153 dated January 9, 1986, to "B-3" Business District. With adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

Topography: The property does not include any abnormal physical features such as slope or incursion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-3" "C-3NA" "R-6"

Current Land Uses: Motor Vehicle Sales, Vacant

Direction: South

Current Base Zoning: "C-3NA" "R-6"

Current Land Uses: Vacant, Memorial Facility, Funeral Chapel

Direction: East

Current Base Zoning: "C-3" "R-6"

Current Land Uses: Auto Oriented Business, Vacant

Direction: West

Current Base Zoning: "C-3" "I-1"

Current Land Uses: Bank, Vacant

Overlay District Information:

The Mission Historic District is an overlay district which does not regulate use of the property, but does enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

The "RIO-6" Mission River Improvement Overlay District is an overlay district to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

Special District Information:

None.

Transportation

Thoroughfare: Southeast Military

Existing Character: Primary Arterial A

Proposed Changes: None known.

Thoroughfare: Mission Road

Existing Character: Minor

Proposed Changes: Mission Road (San Antonio River to Southeast Military Dr.) -- Construct streetscape improvements along Mission Road. Includes lighting, trail enhancements and other improvements as appropriate and within available funding

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

Routes Served: 102

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 for a professional office is 1 parking space per 300 square feet of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "C-3" General Commercial District is 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.

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 "S" Specific Use Authorization would permit a bail bonds office on the subject property.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Port San Antonio Regional Center and is within a ½ mile of the Looper Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 Stinson Airport Vicinity Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2 S” base zoning district is consistent with the future land use designation.
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 current “C-3” General Commercial 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 Bail Bond Office is also appropriate. The subject property is surrounded with commercial zoning designations, and the level of proposed intensity is already established in the surrounding 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 not appear to conflict with any public policy objectives of the Stinson Airport Vicinity Land Use Plan:
 - Goal II: Encourage economic growth that enhances airport operations and surrounding development
 - o Objective 2.2 Encourage commercial development that respects the integrity of existing residential development
6. **Size of Tract:** The subject property is 600 square feet, which can reasonably accommodate the proposed development.

7. **Other Factors:** The applicant intends to rezone to “C-2 S” Commercial District with a Specific Use Authorization to permit a bail bonds office on the property.

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.

This property is designated within the Mission Historic District. Any future exterior modifications or new construction will require written approval from the Office of Historic Preservation. Approval of a zoning change does not supersede any requirements for design review outlined in Article VI of the Unified Development Code.