



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 5

SUBJECT:

Zoning Case Z-2022-10700285

SUMMARY:

Current Zoning: "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "NC MLOD-2 MLR-2 AHOD" Neighborhood Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 1, 2022

Case Manager: Adolfo Gonzalez, Planner

Property Owner: Gaos Pampanitas LLC

Applicant: MaYu-Group LLC

Representative: Javier Yu

Location: 2316 South Flores Street

Legal Description: 0.234 acres out of NCB 3559

Total Acreage: 0.2083

Notices Mailed

Owners of Property within 200 feet: 23

Registered Neighborhood Associations within 200 feet: Lone Star Neighborhood

Applicable Agencies: Lackland Airforce Base

Property Details

Property History: The property was part of the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "J" Commercial District converted to the current "I-1" General Industrial 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: "I-1"

Current Land Uses: Commercial Property

Direction: East

Current Base Zoning: "I-1"

Current Land Uses: Residential Structure

Direction: South

Current Base Zoning: "I-1"

Current Land Uses: Commercial Property

Direction: West

Current Base Zoning: "I-1"

Current Land Uses: Commercial Property

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:

None.

Transportation

Thoroughfare: South Flores Street

Existing Character: Minor

Proposed Changes: None known.

Thoroughfare: Bank

Existing Character: Local

Proposed Changes: None known.

Public Transit: There is public transit within walking distance of the subject property. Routes Served: 43, 44, 243

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for a bakery retail is 1.0 spaces per 300 square feet. The maximum parking allowed for a bakery retail is 1.0 spaces per 200 square feet.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "I-1" General Industrial districts accommodate areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

Proposed Zoning: "NC" Neighborhood Commercial district provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located with the Downtown Regional Center and not within ½ a mile from the 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 Downtown Area Regional Center Plan and is currently designated as “Neighborhood Mixed-Use” in the future land use component of the plan. The requested “NC” 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 constitutes a downzoning from the surrounding “I-1” General Industrial in the area.
3. **Suitability as Presently Zoned:** The existing “I-1” General Industrial District is not an appropriate zoning for the property and surrounding area. The proposed “NC” Neighborhood Commercial is appropriate and allows operation of neighborhood friendly uses. The change in zoning also constitutes a downzoning from the intense “I-1” General Industrial District. The subject property’s location is also suited to “NC” Neighborhood Commercial zoning to provide goods and services to surrounding residential properties.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare. The existing “I-1” General Industrial zoning is much more intense and always industrial uses with permitting. The proposed “NC” Neighborhood Commercial is more of a safeguard to the surrounding residential uses.
5. **Public Policy:** The request does not appear to conflict with any public policy objectives of the Downtown Area Regional Center Plan.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

GCF Policy 8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.

JEC Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.

Relevant Recommendations of the Downtown Area Regional Center Plan may include:

Land Use Recommendation 1: Create transitions in scale and intensity between Downtown and surrounding areas to encourage greater integration of these areas with Downtown.

Focus Areas Recommendation 4: Ensure transitions between new, higher-intensity development in focus areas and mixed-use corridors and established traditional neighborhoods.

6. **Size of Tract:** The 0.2083 acre site is of sufficient size to accommodate the proposed commercial development.

7. **Other Factors:** The applicant intends to rezone the property to rent out the subject property for commercial use.

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 "NC" Neighborhood Commercial district requires that individual buildings not exceed 3,000 square feet of gross floor area for a single-use building; or 5,000 square feet of gross floor area for a multiple tenant, mixed-use building or a live-work unit, so long as the building does not exceed two (2) stories.

The "NC" district also limits that:

- (1) for outside dining that no permanent structures shall be placed within the required setbacks;
- (2) no live entertainment or amplification shall be permitted outside;
- (3) a six-foot solid screen fence shall be erected and maintained adjacent to all residentially zoned property.

D. No external sound systems or live music shall be allowed in an "NC" district.

E. No outdoor storage or display of goods shall be permitted except for outdoor dining.

F. Signage in an "NC" district shall be limited to one (1) sign per occupied space on the building. Signs in an "NC" district may be lighted but shall not utilize any moving parts or flashing lights. No inflatable advertisement signs of logos, products or figures may be utilized temporarily or permanently in an "NC" district."

G. Drive-Through uses shall not be permitted.