



City of San Antonio

Agenda Memorandum

Agenda Date: April 6, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2023-10700010

SUMMARY:

Current Zoning: "R-4 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield
Military Lighting Overlay Military Lighting Region 2 District

Requested Zoning: "C-1 MLOD-3 MLR-2" Light Commercial Martindale Army Airfield
Military Lighting Overlay Military Lighting Region 2 District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 21, 2023

Case Manager: Ann Benavidez, Planner

Property Owner: Amin Nikmehr

Applicant: Rey Nikmehr

Representative: Amin Nikmehr

Location: 751 Yucca Street

Legal Description: 0.155 acres out of NCB 10264

Total Acreage: 0.155

Notices Mailed**Owners of Property within 200 feet:** 16**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Martindale Army Base, Planning Department, Texas Department of Transportation**Property Details**

Property History: The property was annexed into the City of San Antonio on October 17, 1951 by Ordinance 15765 and was originally zoned "B" Residence District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 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-although it directly abuts the flood plain, there is no incursion into the flood plain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** "UZROW"**Current Land Uses:** Interstate highway**Direction:** South**Current Base Zoning:** "C-3"**Current Land Uses:** Vacant**Direction:** East**Current Base Zoning:** "R-4"**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** "UZROW"**Current Land Uses:** Interstate highway**Overlay District Information:**

The "MLOD-3" Martindale Army Airfield 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:** Yucca Street**Existing Character:** Local**Proposed Changes:** None Known

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

Routes Served: 28, 230

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 locksmith is 1 parking space per 300 sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-4” Residential Single-Family District permits single-family dwelling (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-1” Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not in proximity to a Regional Center and is not within a ½ mile of a 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 Eastern Triangle Community Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-1” 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. It is on the access road of I-10 and the property to the south of the site is “C-3” General Commercial District.

3. **Suitability as Presently Zoned:** The current “R-4” Residential Single-Family District is an appropriate zoning for the property. The proposed “C-1” Light Commercial District is also appropriate. The “C-1” Light Commercial District is intended to be a neighborhood friendly district to provide goods and services to surrounding residents. The proposed light commercial development is appropriate for the landlocked corner location and across the street from the existing “C-3” General Commercial zoning designation.
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 Eastern Triangle Community Plan:
 - Goal 13: Encourage well-maintained neighborhoods and housing stock
 - o Objective 13.1: Encourage home and property maintenance to improve existing housing stock
 - o Objective 13.2: Cooperate between neighbors to improve the overall appearance of the community
6. **Size of Tract:** The subject property is 0.155 acres, which can reasonably accommodate the light commercial development.
7. **Other Factors:** The applicant intends to rezone to “C-1” Light Commercial District, to accommodate a locksmith business on the property.

The subject property is located within the Martindale Army Airfield 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 are no objections to this request.

The “C-1” Light Commercial District provides the following regulations: 1) restricts business operation to completely within enclosed structures, 2) does not allow external sound systems or live music, and 3) does not allow outdoor storage or display of goods.