



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 3

SUBJECT:
ZONING CASE Z-2022-10700327

SUMMARY:

Current Zoning: “C-2” Commercial District, “C-2NA” Commercial Nonalcoholic Sales District, “C-3NA” General Commercial Nonalcoholic Sales District, “MF-33” Multi-Family District, I-1 General Industrial District, “R-6” Residential Single-Family District,

Requested Zoning: “R-1” Single-Family Residential District, “R-5” Residential Single-Family District, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-20” Residential Single-Family District, “L” Light Industrial District, “MHP” Manufactured Housing Park District, “NC” Neighborhood Commercial District, “C-1” Light Commercial District and “C-2NA” Commercial Nonalcoholic Sales District (All Overlays Remain the Same)

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 21, 2023

Case Manager: Alfonso Camacho, Senior Planner

Property Owner: Multiple Owners

Applicant: Development Services Department

Representative: Development Services Department

Location: Harding/Ware Large Area Rezoning - generally bounded by West Harding Blvd to the North, South Flores Street to the East, Ware Blvd to the South, and Pleasanton Road to the West

Legal Description: NCB 9407, 9483, 9484, and 9499, generally bounded by West Harding Blvd to the North, South Flores Street to the East, Ware Blvd to the South, and Pleasanton Road to the West

Total Acreage: 104.32

Notices Mailed

Owners of Property within 200 feet: 552

Registered Neighborhood Associations within 200 feet: Harlandale Acres Neighborhood Association

Applicable Agencies: None

Property Details

Property History: The subject properties are not part of the original 36 square miles of the City of San Antonio and originally zoned "J" Commercial District and "C" Apartment District. Stinson Airport Vicinity Land Use Plan was adopted by Ordinance 2009-04-02-0252, dated April 12, 2009.

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: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial

Direction: East

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial

Direction: South

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial

Direction: West

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Commercial

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.

Special District Information:

None.

Transportation

Thoroughfare: South Flores Street

Existing Character: Local

Proposed Changes: None Known

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

Traffic Impact: TIA report is not required.

Parking Information: There is no parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-2” Commercial District, “C-2 CD” Commercial District with a Conditional Use, “C-2NA” Commercial Nonalcoholic Sales District, “C-3NA” General Commercial Nonalcoholic Sales District, “MF-33” Multi-Family District, I-1 General Industrial District, “R-6” Residential Single-Family District,

Proposed Zoning: “R-1” Single-Family Residential District, “R-5” Residential Single-Family District, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-20” Residential Single-Family District, “L” Light Industrial District, “MHP” Manufactured Housing Park District, “NC” Neighborhood Commercial District, “C-1” Light Commercial District and “C-2NA” Commercial Nonalcoholic Sales District

FISCAL IMPACT:

There is no fiscal impact.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center and not within 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 Stinson Airport Vicinity Land Use Plan. The requested base zoning districts are consistent with the future land use designations.

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:** Current zoning of the properties in the subject area is a mixture of “MF-33” Multi-Family District, “I-1” General Industrial and “C-2NA” Commercial Nonalcoholic Sales District. The subject area is within the Stinson Airport Vicinity Land Use Plan. No plan amendments required. The 2001 adoption of the Unified Development Code converted all 1938 and 1965 zoning districts to the current zoning districts, in turn, this conversion created some non-conforming uses. The rezoning strategy includes, field and data analysis conducted by staff to make appropriate zoning recommendations based on the current use of properties. Various residentially zoned properties are conditionally zoned for two (2) or more dwelling units as part of the rezoning process to avoid non-conforming uses. Properties were removed from the strategy if already appropriately zoned with their current use.
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 proposed change of zoning does not appear to conflict with the following goals and strategies of the Stinson Airport Vicinity Land Use Plan:
 - Goal 1: Protect the quality of life of residents including health, safety and welfare
 - Objective 1.1: Protect integrity of existing residential neighborhoods
 - Objective 1.2: Discourage developments of incompatible uses on vacant land
 - Objective 1.3: Enhance quality of the environment in existing neighborhoods that are impacted by airport noise.
 - Goal 2: Encourage economic growth that enhances airport operations and surrounding development
 - Objective 2.2: Encourage commercial development that respects the integrity of existing residential development
6. **Size of Tract:** Approximately 104.32 acres.
7. **Other Factors:** City Council approved a resolution on June 16, 2022 (2022-06-16-0031R), directing the Development Services Department to initiate a large area rezoning to appropriate zoning districts for property located in the Harding/Ware Neighborhood. The goal is to align zoning with the current use of properties in the area, consistent with the adopted Stinson Airport Vicinity Land Use Plan. Throughout the past few decades many areas of the center city have had ongoing concerns regarding zoning inconsistencies. These inconsistencies were the result of the code conversion from the “old” zoning code, which utilized an A-J tiered system of zoning, to the new system we use today. The Large Area Rezoning project is meant to correct these nonconforming issues. Staff is recommending a change of zoning on 216 properties.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.