



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 15, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2022-10700025

(Associated Plan Amendment PA-2022-11600012)

**SUMMARY:**

**Current Zoning:** "C-3NA MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Funeral Home

**Requested Zoning:** "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for thirty (30) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 15, 2022

**Case Manager:** Summer McCann, Planner

**Property Owner:** Zamarripa Funeral Homes Inc.

**Applicant:** Zamarripa Funeral Homes Inc.

**Representative:** Patrick W. Christensen

**Location:** 1602,1606, 1612, 1614 El Paso Street and 214,216, 217, 218, 220, 222 Elvira Street

**Legal Description:** Lots 12-14, the south 70feet of Lot 15 and the west 15 feet of the south 70 feet of Lot 16, the south 7 feet of the north 87 feet of Lot 15, the east 7.5feet of north 80 feet of Lot 15, the west 15feet of the north 87 feet of Lot 16 and the west 22.5 feet of the north 80 feet of Lot15, Lot 17 and the east 1/2 of Lot 16, and Lot 24A, Lot 26A, Lot 27A, and Lot 28A, Block B, NCB 2436

**Total Acreage:** 0.95 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 57

**Registered Neighborhood Associations within 200 feet:** Historic Westside Residents Association

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. The property was rezoned to "R-7" Small Lot Home District and "B-3NA" Business, Non-alcoholic Sales District by Ordinance 75720, dated May 7, 1992. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion of the property zoned "R-7" Small Lot Home District converted to "R-4" Residential Single-Family District and the portion of the property zoned "B-3NA" converted to the current "C-3NA" General Commercial Nonalcoholic District. The portion of the property zoned "R-4" Residential Single-Family District was rezoned to "C-2 CD" Commercial District with a Conditional Use for a Funeral Home by Ordinance 2006-11-16-1322, dated November 16, 2006.

**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:** "R-4"

**Current Land Uses:** Single-Family Dwelling

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Single-Family Dwelling

**Direction:** East

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Senior Community

**Direction:** West

**Current Base Zoning:** "R-4", "C-3NA"

**Current Land Uses:** Single-Family Dwelling

**Overlay District Information:**

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.

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:** El Paso Street

**Existing Character:** Local

**Proposed Changes:** None Known.

**Thoroughfare:** Elvira Street

**Existing Character:** Local

**Proposed Changes:** None Known.

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

**Routes Served:** 68, 268

**Traffic Impact:** Preliminary Review Only— Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

**\*\*The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\*** TIA Report is Not Required.

**Parking Information:** "IDZ-2" waives the minimum parking requirement by 50%.

**ISSUE:** None.

**ALTERNATIVES:**

**Current Zoning:** "C-3NA" General Commercial Nonalcoholic Sales districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited. The "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.

“C-2” Commercial District 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 “CD” Conditional Use allowed for a Funeral Home.

**Proposed Zoning:** “IDZ-2” Medium Intensity Infill Development Zone allows rezoning requests up to 50 units per acre and uses permitted in “C-2” and “O-1.5”. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The proposed use is for thirty (30) dwelling units.

**FISCAL IMPACT:** None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located with a Regional Center but is within ½ a mile from the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Guadalupe Westside Community Plan and is currently designated as “Low Density Mixed Use” in the future land use component of the plan. The requested “IDZ-2” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “High Density Mixed Use”. Staff recommends Approval. The Planning Commission recommendation is pending the March 23, 2022 hearing.
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 “C-3NA” General Commercial Nonalcoholic Sales District and “C-2 CD” Commercial District with a Conditional Use for a Funeral Home are appropriate zonings for the property and surrounding area. The requested “IDZ-2” Medium Intensity Infill Development Zone is also appropriate and is more consistent with residential uses in the area. The subject property is abutting “MF-33” Multi-Family District and “C-2” Commercial District zonings. The proposed development would create a transition between the commercial uses south of Guadalupe Street and the single-family uses north of El Paso Street. Additionally, the proposed density is limited to thirty (30) units and a site plan.
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 rezoning does not appear to conflict with the following goals, principles, and objectives of the Guadalupe Westside Community Plan.

**Relevant Goals, Recommendations and Strategies of the Guadalupe Westside Community Plan may include:**

- Objective 20.1: Diversity of Housing: Promote a diverse variety of housing stock in the community that sustains all ages and economic groups.
  - 20.1.1 Encourage and facilitate the development of quality, diverse housing that is compatible with the character of the neighborhood.
  - 20.1.2 Promote the development of a variety of housing sizes and prices including retirement housing, assisted living, quality affordable single-family houses, small apartment complexes (6 to 20 units), and housing in mixed-use buildings.
  - 20.1.3 Reduce occurrences of commercial encroachment into residential areas.
- 6. **Size of Tract:** The 0.95 acre site is of sufficient size to accommodate the proposed residential development.
- 7. **Other Factors:** 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 applicant is rezoning to “IDZ-2” Medium Intensity Infill Development Zone with uses permitted for thirty (30) dwelling units.