



City of San Antonio

Agenda Memorandum

Agenda Date: January 18, 2021

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:

ZONING CASE Z-2021-10700034 CD
(Associated Planning Case PA-2021-1160013)

SUMMARY:

Current Zoning: "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District Conditional Use for Animal and Pet Services (outdoor training, boarding, runs, pens or paddocks permitted)

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: January 18, 2022

Case Manager: Richard Bautista-Vazquez, Planner

Property Owner: Paul Salomon

Applicant: Parra & Co., LLC

Representative: Parra & Co., LLC

Location: 819 New Laredo Highway

Legal Description: 0.6229 acres out of NCB 8758

Total Acreage: 0.6229

Notices Mailed

Owners of Property within 200 feet: 31

Registered Neighborhood Associations within 200 feet: Quintana Community HOA

Applicable Agencies: None

Property Details

Property History: The subject property was annexed in the City of San Antonio by Ordinance 1259, dated August 2, 1944, and zoned "C" Apartment District. Ordinance 47762 dated, January 25, 1977 rezoned the property to "R-1" Single-Family Residence Business. The property was converted by 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, to the current the "R-6" Residential Single-Family 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: "R-6", "C-2"

Current Land Uses: Commercial Stores, Single-Family Dwelling, Church

Direction: East

Current Base Zoning: "C-3"

Current Land Uses: Gas Station

Direction: South

Current Base Zoning: "I-1"

Current Land Uses: Machine/Welding Shop

Direction: West

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

Current Land Uses: Single-Family Dwellings

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: New Laredo Highway

Existing Character: Secondary Arterial B

Proposed Changes: None Known

Public Transit: There is one bus route within walking distance of the property.
Routes Served 515 and 524

Traffic Impact: A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements

Parking Information: The minimum parking requirements for animal services is 1 per employee.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

“C-3” General Commercial districts are 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 “CD” Conditional Use would allow for Animal and Pet Services (outdoor training, boarding, runs, pens or paddocks permitted)

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not within a Regional Center but is within the Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial.

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 Kelly/South San P.U.E.B.L.O Community Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Community Commercial”. Staff recommends Denial. The Planning Commission recommends Approval.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area, abutting properties to the west are zoned and used as single-family residential.
3. **Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is appropriate for the area and the "C-3" General Commercial District is also appropriate zoning in its current location along New Laredo Highway. The proposed "C-2 CD" Commercial District with Conditional Use for Animal and Pet Services is too intense for the area and is not consistent with land use designation. The applicant is requesting to condition down a use allowed by right in an "L" Light Industrial zoning district.
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/does not appear to conflict with any public policy objective Kelly/South San P.U.E.B.L.O Community Plan encourages areas of:

Neighborhood Commercial:

This category provides for smaller intensity commercial uses such as small-scale retail or offices, professional services, convenience retail, and shop front retail that serves a market equivalent to a neighborhood. Neighborhood commercial uses should be located at intersection of collector streets and higher order streets within walking distance of neighborhood residential areas, or along arterials where an existing commercial area is already established. Examples of neighborhood commercial uses include flower shops, small restaurants, lawyer’s offices, coffee shops, hairstylist or barbers shops, book stores, copy service, dry cleaning, or convenience stores without gasoline.

This category allows “NC”, “C-1”, and “O-1”.

The Community Commercial Category allows: “NC”, “C-1”, “C-2”, “C-2P”, “O-1” and “O-1.5”.

6. **Size of Tract:** The 0.542-acre site is of sufficient size to accommodate commercial development and the proposed Animal and Pet Services.
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 intends is proposing an animal and pet services business with outdoor operations. The applicant will be held to the submitted site plan.