



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-2495

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 3/17/2020

**Title:** ZONING CASE Z-2020-10700032 CD (Council District 5): A request for a change in zoning from "R-6 RIO-4 MLOD-2 MLR-2 AHOD" Residential Single-Family River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-6 CD RIO-4 MLOD-2 MLR-2 AHOD" Residential Single-Family River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Barber or Beauty Shop on Lot 47 and Lot 48, NCB 6487, located at 330 McKay Avenue. Staff recommends Approval. (Lorianne Thennes, Planner 210-207-7945, lorianne.thennes@sanantonio.gov; Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:** Zoning Case Z2020-10700032 CD

**SUMMARY:**

**Current Zoning:** "R-6 RIO-4 MLOD-2 MLR-2 AHOD" Residential Single-Family River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD RIO-4 MLOD-2 MLR-2 AHOD" Residential Single-Family River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Barber or Beauty Shop

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 17, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Edgar Mortera

**Applicant:** Edgar Mortera

**Representative:** Edgar Mortera

**Location:** 330 McKay Avenue

**Legal Description:** Lot 47 and Lot 48, NCB 6487

**Total Acreage:** 0.1435 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Lone Star Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base, Office of Historic Preservation, World Heritage Office

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned "C" Apartment District. The property was rezoned from "C" to "R-3" Multiple Family Residence District by Ordinance 61454, dated September 19, 1985. The previous "R-3" district converted to "MF-33" Multi-Family Residential District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was rezoned from "MF-33" to "R-6" Residential Single-Family District by Ordinance 2018-08-02-0582, dated August 2, 2018.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-1" and "C-3"

**Current Land Uses:** Auto repair and sales, gas station

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-family dwellings

**Direction:** South

**Current Base Zoning:** "C-1" and "C-2"

**Current Land Uses:** Sports bar, bakery, single-family dwelling

**Direction:** West

**Current Base Zoning:** "C-2," "C-3R" and "RM-4"

**Current Land Uses:** Gas station, single-family dwellings, duplex

**Overlay and Special District Information:**

"RIO"

All surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. The "MLOD-2" 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.

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** McKay Avenue

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Probandt Street

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None

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

**Routes:** 46, 246

**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 requirement for a beauty or barber shop is

**ISSUE:** None.

**ALTERNATIVES:**

**Current:** The current "R-6" Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed "R-6" Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character. The proposed "CD" would allow consideration of a beauty or barber shop.

**FISCAL IMPACT:** None.

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

The property is within a regional center and a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the Downtown Area Regional Center Plan and is currently designated as “Urban Mixed-Use.” The requested “R-6” 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 base zoning of “R-6” will remain the same. The “CD” conditional use allows for consideration of a barber or beauty shop. The applicant is also held to the submitted site plan and the conditions for nonresidential uses in residential districts.

**3. Suitability as Presently Zoned:**

The current "R-6 RIO-4 MLOD-2 MLR-2 AHOD" Residential Single-Family River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District is an appropriate zoning for the property and surrounding area.

**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 Downtown Area Regional Center Plan:

Goal 1.1- Grow and evolve in meaningful ways that encourage attachment between people and places

Goal 1.2- Respect historic and culturally significant places, including significant examples of more contemporary and modern architecture

Goal 1.4- Encourage adaptive reuse

**6. Size of Tract:**

The subject property is 0.1435 acres, which could reasonably accommodate residential use and a barber/beauty shop.

**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.

This property is in the River Improvement Overlay District (RIO-4). Any proposed exterior alterations associated with the proposal will require approval from the Historic and Design Review Commission. Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Historic and Design Review Commission for this project.

The following conditions shall apply to the operation of **nonresidential conditional uses** permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3)

square feet in area, may be permitted when attached to the front of the main structure.

- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.