



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-6420

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 9/3/2019

**Title:** ZONING CASE Z-2019-10700186 CD (Council District 6): A request for a change in zoning from “C-3 GC-2 MLOD-2 MLR-2 AHOD” General Commercial Highway 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to “C-3 CD GC-2 MLOD-2 MLR-2 AHOD” General Commercial Highway 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Animal and Pet Services (outdoor boarding, runs, pens or paddocks permitted) on 1.577 acres on NCB 17643, located in the 1200 Block of Richland Hills Drive. Staff recommends Denial, with an Alternate recommendation. (Associated Plan Amendment PA-2019-11600060) (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov; Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z-2019-10700186 CD  
(Plan Amendment Case PA-2019-11600060)

**SUMMARY:**

**Current Zoning:** C-3 GC-2 MLOD-2 MLR-2 AHOD” General Commercial Highway 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** “C-3 CD GC-2 MLOD-2 MLR-2 AHOD” General Commercial Highway 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Animal and Pet Services (outdoor boarding, runs, pens or paddocks permitted)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 3, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** OH SIDDHI, INC

**Applicant:** RM Development Group (C/O Mr. Bradley McCoy)

**Representative:** Brown & Ortiz, P.C.

**Location:** 1200 Block of Richland Hills Drive

**Legal Description:** 1.577 acres on NCB 17643

**Total Acreage:** 1.577

### **Notices Mailed**

**Owners of Property within 200 feet:** 10

**Registered Neighborhood Associations within 200 feet:** Tara Neighborhood Association

**Applicable Agencies:** Lackland Airforce Base, Texas Department of Transportation

### **Property Details**

**Property History:** The subject property annexed into the City of San Antonio by Ordinance 66482, dated March 14, 1988 and zoned Temporary "R-1" Single Family Residence District. The property rezoned by Ordinance 60442, dated March 21, 1985 from Temporary "R-1" Single Family Residence District to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

**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-3"

**Current Land Uses:** Bingo Hall

**Direction:** South

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

**Current Land Uses:** Vacant

**Direction:** East

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

**Current Land Uses:** Vacant

**Direction:** West

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

**Current Land Uses:** Vacant

### **Overlay and Special District Information:**

"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.

**"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.

**"GC-2"**

The Highway 151 Gateway Corridor District ("GC-2") provides site development standards for properties within 1,000 feet of Highway 151 between Highway 90 and the western City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department.

**Transportation**

**Thoroughfare:** Richland Hills Drive

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 64, 618, 620

**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 outdoor pet services is 1 space for every 1,500 square feet.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "C-3" General Commercial District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

**Alternate Proposed:** The proposed "C-2" Commercial District accommodates commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic, and the added "CD" allows Outdoor Animal and Pet Services.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an alternate recommendation to “C-2 CD” Commercial District with Conditional Use for Animal and Pet Services (outdoor boarding, runs, pens or paddocks permitted).

**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 West/Southwest Sector Plan and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “C-3” base zoning district is not consistent with the future land use designation. The applicant requested a Plan Amendment, but have withdrawn the request because they intend to amend to staff’s recommendation of “C-2 CD” Commercial District with Conditional Use for Animal and Pet Services (outdoor boarding, runs, pens or paddocks permitted).

**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.

**3. Suitability as Presently Zoned:**

The current “C-3” General Commercial District is not an appropriate zoning for the property and surrounding area. While the current “C-3” base zoning district remains the same, it remains too intense for the “General Urban Tier” land use category. The proposed rezoning maintains the base zoning district. The Conditional Use allows consideration of outdoor animal and pet services with any needed conditions.

**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 appears to conflict with the following goals, principles, and objectives of the West/Southwest Sector Plan:

General Urban Tier - Urbanized areas where frequent and/or attached walkable retail services such as convenience retail stores, live/work units, cafes, grocery stores, hotels, clinics and other small businesses are appropriate

Regional Center - Regional Centers accommodate the most intense commercial uses and should be located at the intersection of Expressways and Major Arterials.

**6. Size of Tract:**

The subject property is 1.577 acres, which could reasonably accommodate outdoor pet service uses.

**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, JB SA was notified of the proposed request.

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.