



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-2491

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/15/2021

**Title:** ZONING CASE Z-2021-10700009 CD (Council District 5): Ordinance amending the Zoning District Boundary from "C-3NA MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units on Lot 37 and Lot 38, Block 3, NCB 2425, located at 2203 El Paso Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2021-04-15-0264

| Date      | Ver. | Action By              | Action | Result |
|-----------|------|------------------------|--------|--------|
| 4/15/2021 | 1    | City Council A Session |        |        |

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2021-10700009 CD

**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

**Requested Zoning:** "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 16, 2021

**Case Manager:** Michael Pepe, Planner

**Property Owner:** 2203 El Paso Street LLC

**Applicant:** Preston Hill

**Representative:** Preston Hill

**Location:** 2203 El Paso Street

**Legal Description:** Lot 37 and Lot 38, Block 3, NCB 2425

**Total Acreage:** 0.0920 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 64

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

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The property was a part of the original 36 square miles of the City of San Antonio and was originally zoned "C" Residence District. The property was then rezoned from "C" to "B-3 NA" Business District by Ordinance 75720 dated April 30, 1992. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3NA" converted to "C-3NA" General Commercial Non-Alcoholic Sales 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:** "R-4"

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

**Direction:** South

**Current Base Zoning:** "R-4"

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

**Direction:** East

**Current Base Zoning:** "R-4"

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

**Direction:** West

**Current Base Zoning:** "R-4"

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

**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. 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.

**Transportation**

**Thoroughfare:** El Paso

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Chupaderas

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routs Served: 68, 103, 268

**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 single-family dwellings is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** C-3 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. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

**Proposed:** Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center nor is it located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend 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 Guadalupe Westside Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-4” base zoning 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 rezoning would reduce potential adverse impacts of the existing “C-3NA”, while limiting potential development to a site plan.

**3. Suitability as Presently Zoned:**

The current “C-3NA” is appropriate zoning for the property on the corner of two local street. This intensity of commercial does not typically abut residential but the zoning designation does have a nonalcoholic sales overlay. The requested “R-4 Residential Single-Family is more appropriate to the area and constitutes a downing zoning. The proposed housing is within walking distance of area schools and businesses.

**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:

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.

- Explore the use of environmental sensitive housing and utilizing green building practices to improve housing stock.

- Ensure that new housing stock meets the needs of a mix of income levels

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.

**6. Size of Tract:**

The subject property is 0.0920 acres, which could reasonably the requested residential 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 Military has indicated that there are no objections to the 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.

