



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5991

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 11/6/2018

**Title:** ZONING CASE # Z2018343 CD (Council District 4): A request for a change in zoning from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for a Bar/Tavern on Lot P-12, ABS 16, NCB 15318, located at 121 Whitewood Drive. Staff recommends Approval.

**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:** 4

**SUBJECT:**

Zoning Case Z2018343 CD

**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

**Requested Zoning:** "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for a Bar/Tavern

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 6, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Louis J. Magro

**Applicant:** Louis J. Magro

**Representative:** Louis J. Magro

**Location:** 121 Whitewood Drive

**Legal Description:** Lot P-12, ABS 16, NCB 15318

**Total Acreage:** 0.49

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** People Active in Community Effort

**Applicable Agencies:** Lackland Air Force Base, Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned Temporary "R-1" Single-Family Residence District by Ordinance 41419, dated December 26, 1972. The property converted from Temporary "R-1" to the current "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**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-6", "C-3R"

**Current Land Uses:** Vacant Lot, Tire Shop

**Direction:** East

**Current Base Zoning:** "C-3", "MF-33"

**Current Land Uses:** Foodmart, Apartments

**Direction:** South

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

**Current Land Uses:** Vacant Lot

**Direction:** West

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

**Current Land Uses:** Vacant Lot

**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 MLR-1"

All surrounding properties carry the "MLOD-2 MLR-1" Lackland Military Lighting Overlay Military Lighting Region 1 District, due to their proximity to Lackland Air Force Base. The "MLOD-2 MLR-1" 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:** Whitewood Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** West Military Drive

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 551 and 619 are within walking distance of the subject property.

**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 required for a Bar/Tavern is 1 parking space per 100 square feet of the gross floor area.

The minimum parking required for a Barber Shop is 1 parking space per 300 square feet of the gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “R-6” Residential Single-Family District which permits single-family dwellings (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.

**FISCAL IMPACT:**

None.

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

The property is located within the Port San Antonio Regional Center and is located within ½ of a mile of the Looper 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 United Southwest Community Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The property is currently developed as a commercial retail center.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District could be an appropriate zoning for the property and surrounding area. The requested “C-2” could also be an appropriate base zoning for the subject property.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning is consistent with the goals and objectives of the South Central Community Plan. The plan encourages commercial development that is compatible with the existing neighborhood. The property is located within close proximity to West Military Drive, a primary arterial. West Military Drive supports more intense commercial uses. The retail center may have existed prior to annexation into city limits and was subsequently zoned residential.

Objective 1 - Economic Development: Develop and enhance the community’s commercial corridors by improving streetscape appearances and recruiting businesses to employ and provide goods/services to residents.

**6. Size of Tract:**

The subject properties are 0.49 of an acre, which currently accommodates a small retail center.

**7. Other Factors:**

The purpose of the Conditional Use is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may under the right set of circumstances and conditions be acceptable in certain specific locations.

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.