



# City of San Antonio

## Agenda Memorandum

**File Number:** 18-5156

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**Agenda Item Number:** 18.

**Agenda Date:** 9/18/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2018310

**SUMMARY:**

**Current Zoning:** "C-3R MLOD-2 MLR-2 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 18, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Rojas Family Limited Partnership

**Applicant:** Leticia Flores

**Representative:** Mario A. Rojas, CPA

**Location:** 514 Kendalia Avenue

**Legal Description:** Lot 5, Block 1, NCB 7645

**Total Acreage:** 0.2124

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned “J” Commercial District by Ordinance 1391, dated September 23, 1944. The property was a part of a large-are rezoning and was changed from “J” to “B-3R” Business Restrictive Alcohol Sales District by Ordinance 84398, dated July 11, 1996. The property converted from “B-3R” to the current “C-3R” General Commercial Restrictive Alcohol Sales 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-3NA”

**Current Land Uses:** Single-Family Residences, Pet Store

**Direction:** East

**Current Base Zoning:** “C-3R”

**Current Land Uses:** Auto Sales

**Direction:** South

**Current Base Zoning:** “C-2NA”

**Current Land Uses:** Hair Salon, Medical Clinic

**Direction:** West

**Current Base Zoning:** “R-6”

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

**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.

**Transportation**

**Thoroughfare:** Kendalia Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Pleasanton Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bus route 44 is 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 is 1 parking space per residential unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “C-3R” which permits 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. The sale of alcoholic beverages for on-premises consumption is prohibited.

**FISCAL IMPACT:**

None.

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

The property is not located within a Regional Center. The property is located within ½ of a mile of the Loper 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 South Central San Antonio Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-6” 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 requested rezoning will allow for a single-family residence.

**3. Suitability as Presently Zoned:**

The current “C-3R” is not appropriate zoning for the property and surrounding area. The requested “R-6” would be a more appropriate base zoning for the neighborhood.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The lot is currently vacant and the proposed single-family residence will ensure that commercial uses are located along Pleasanton Road, not within the neighborhood.

#### **5. Public Policy:**

The property is located within the South Central San Antonio Community Plan. The proposed rezoning is consistent with the goals and objectives of the plan. The plan emphasizes the reduction of vacant lots and promoting infill development. The requested “R-6” base zoning will permit a single-family residence. The current “C-3R” base zoning permits intense commercial uses that are not conducive to the neighborhood. The request will remove the potential of commercial encroachment while offering additional housing options within close proximity of downtown San Antonio.

Relevant Goals and Objectives of the South Central San Antonio Community Plan:

Goal: Maintain and build on the old-fashioned neighborhood character of South Central San Antonio.

Objective 2 - Housing: Encourage the rehabilitation of existing homes and the construction of new housing.

Strategy 2.1 - Infill Housing: Construct all types of infill housing on vacant lots throughout the entire community.

Objective 3 - Community Appearance: Enhance the overall community appearance.

#### **6. Size of Tract:**

The subject property measures 0.2124 of an acre, which could accommodate a single-family residence.

#### **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.