



# City of San Antonio

## Agenda Memorandum

**File Number:**20-5071

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**Agenda Item Number:** Z-9.

**Agenda Date:** 9/3/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2020-10700149

(Associated Plan Amendment PA 2020-11600039)

**SUMMARY:**

**Current Zoning:** "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "MXD MLOD-2 MLR-1 AHOD" Mixed Use Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 4, 2020

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Mohammed Al-Rafati

**Applicant:** Streamline Advisory Partners, LLC

**Representative:** Ashley Farrimond- Killen, Griffin, & Farrimond, PLLC

**Location:** 9326 Southwest Loop 410

**Legal Description:** 42.0290 acres out of NCB 14491

**Total Acreage:** 42.0290

## **Notices Mailed**

**Owners of Property within 200 feet:** 37

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

**Applicable Agencies:** Texas Department of Transportation

## **Property Details**

**Property History:** The subject property annexed December 31, 1988 by Ordinance 68291 and was zoned "B-3R" Restrictive Business District. The subject property then converted from "B-3R" Restrictive Business to "C-3R" General Commercial Restrictive Alcoholic Sales District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001.

**Topography:** The subject property is currently undeveloped land. A tributary runs through the subject property on the eastern side and accounts for a small portion of the property being included in the 100 year flood plain.

## **Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Commercial

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** South

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

**Current Land Uses:** Natural

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Residential

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

None.

## **Transportation**

**Thoroughfare:** Southwest Loop 410

**Existing Character:** Highway

**Proposed Changes:** None known

**Thoroughfare:** Old Pearsall Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known

**Public Transit:** There are no VIA bus routes near the subject property.

**Route Served:** None

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The proposed development includes single-family dwellings, multi-family dwellings,

and some commercial uses. Parking requirements are calculated on the use:

- Multi-Family Residential - Minimum of 1.5 parking spaces per unit, maximum of 2 parking spaces per unit
- Commercial parking is calculated on the specific commercial use

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “C-3 R” Restrictive 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. This district promotes 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. "C-3R" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises consumption shall be permitted.

The “C-3” General Commercial 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.

**Proposed:** The proposed zoning of “MXD” would allow Mixed Use development for Residential and Commercial uses.

**FISCAL IMPACT:**

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is not within a Regional Center including and is not located within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval, pending Plan Amendment.

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

**1. Consistency:**

The property is located in the United Southwest Communities Plan and is currently designated as “Regional Commercial”. The proposed “MXD” base zoning district is not consistent with the land use designation. The applicant requested a Plan Amendment from “Regional Commercial” to “Mixed Use.” Staff and Planning Commission recommend Approval.

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

Staff finds no evidence of likely adverse impact on the neighboring lands in relation to this zoning change

request. The uses proposed as part of the “MXD” as residential and commercial are consistent with the surrounding area.

### **3. Suitability as Presently Zoned:**

The existing "C-3R" base zoning district is appropriate for the subject property. The proposed “MXD” Mixed Use District is also appropriate for the subject property as there are currently “R-6”, “MF-25”, and “C-3R” uses in the surrounding area. Further, the requested “MXD” will permit less intense uses for the subject property.

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

Staff has found no negative impacts on the public health, safety, or welfare in relation to this rezoning request.

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

The request is consistent with several goals and objectives identified in the United Southwest Communities Plan including:

#### Goal 1 - Economic Development

Attract new businesses, services and retail establishments to the United Southwest Communities.

- Objective 1.1: Commercial Development
  - Implement strategies to attract commercial development.
  - Action Steps:
    - Objective 1.1.1: Seek commercial (non-residential) zoning along Loop 410 between Valley Hi Drive and Old Pearsall Road as identified in the land use plan
- Objective 1.1.4: Promote mixed use, live-work areas in accordance with the land use plan.

#### Goal 2 - Housing

Encourage the development of new housing that is compatible with the community.

- Objective 2.1: Develop New Housing
  - Encourage single family development.

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

The subject property totals 42.0290 acres and is sufficient size for the proposed mixed use development of multifamily and commercial uses.

### **7. Other Factors:**

The applicant submitted an “MXD” site plan consistent with the Unified Development Code, Section 35-341.