



City of San Antonio

Legislation Details (With Text)

File #: 19-6475
Type: Zoning Case
In control: City Council A Session
On agenda: 9/5/2019
Title: ZONING CASE Z-2019-10700154 (Council District 5): Ordinance amending the Zoning District Boundary from "NC MLOD-2 MLR-1 AHOD" Neighborhood Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2P MLOD-2 MLR-1 AHOD" Commercial Pedestrian Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot 3, Block 1, NCB 8973, located at 1542 West Harlan Avenue. Staff and Zoning Commission recommend Approval.
Sponsors:
Indexes:
Code sections:
Attachments: 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 5

SUBJECT:
Zoning Case Z-2019-10700154

SUMMARY:
Current Zoning: "NC MLOD-2 MLR-1 AHOD" Neighborhood Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "C-2P MLOD-2 MLR-1 AHOD" Commercial Pedestrian Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: August 20, 2019

Case Manager: Mirko Maravi, Planner

Property Owner: Daniel Garza

Applicant: Jose Gallegos Jr.

Representative: Jose Gallegos Jr.

Location: 1542 West Harlan Avenue

Legal Description: Lot 3, Block 1, NCB 8973

Total Acreage: 0.1102

Notices Mailed

Owners of Property within 200 feet: 30

Registered Neighborhood Associations within 200 feet: Quintana Community Neighborhood Association

Applicable Agencies: Lackland Air Force Base

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 1391, dated September 23, 1944. The property was rezoned by Ordinance 47762, dated March 17, 1977 from "B" Residence District to "R-1" Single Family Residential District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" Single Family Residential District converted to "R-6" Residential Single-Family District. The property was rezoned by Ordinance 96883, dated December 12, 2002 from "R-6" Residential Single Family District to "C-3R" General Commercial District, Restrictive Alcohol Sales. The property was rezoned by Ordinance 2009-06-18-0539, dated June 18, 2009 from "C-3R" General Commercial District, Restrictive Alcohol Sales to the current "NC" Neighborhood 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-2P"

Current Land Uses: Restaurant

Direction: South

Current Base Zoning: "R-6"

Current Land Uses: Residential

Direction: East

Current Base Zoning: "NC"

Current Land Uses: Commercial

Direction: West

Current Base Zoning: "C-2P"

Current Land Uses: Automotive shop

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: West Harlan Avenue

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 51, 251

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 an office is 1 space for every 300 square feet.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "NC". This district provides small areas for offices, professional services, service and shop front retail uses, all designed in scale with surrounding residential uses. The district regulations are designed to protect and encourage the transitional character of the districts by permitting a limited group of uses of a commercial nature and to protect the abutting and surrounding residential areas by requiring certain minimum yard and area standards to be met which are comparable to those called for in the residential districts. These districts are also intended to reduce energy consumption by permitting a limited group of commercial uses to be located in close proximity to residential areas. This district provides a balance of residential and nonresidential land use opportunities reflecting the economic needs of residents and business owners.

The requested "C-2P" districts permit 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-2" districts accommodate 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

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

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (9-0) 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 Kelly / S. San P.U.E.B.L.O Community Plan and is currently designated as "Mixed Use" in the future land use component of the plan. The requested "C-2 P" base zoning district 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.

3. Suitability as Presently Zoned:

The current "NC" Neighborhood Commercial District is an appropriate zoning for the property and surrounding area. The requested "C-2P" is also consistent with existing "C-2P" zoning to the west of the subject property.

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 Kelly / S. San P.U.E.B.L.O Community Plan:

Provides a more intense commercial with pedestrian orientation along portions of Zarzamora, Somerset, and Southcross.

Mixed Use allows for a concentrated, well planned, and integrated blend of residential, retail, service, office, entertainment, leisure, and other related uses at increased densities.

6. Size of Tract:

The subject property is 0.1102 acres, which could reasonably accommodate office use.

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.

"C-2" districts accommodate 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.

(1) General Provisions.

A. **Outdoor Storage or Display.** No outdoor storage or display of goods shall be permitted except for outdoor dining.

(2) Front Setback.

A. The maximum front setback in a "C-2P" district is thirty-five (35) feet.

B. The district regulations within the "C-2" district are the same as in the "C-2P" districts except that there is no required front setback maximum.