City of San Antonio

Legislation Details (With Text)

File #: 20-1672

Type: Plan Amendment

In control: City Council A Session

On agenda: 2/20/2020

Title: PLAN AMENDMENT CASE PA-2019-11600096 (Council District 5): Ordinance amending the Nogalitos / South Zarzamora Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from “Neighborhood Commercial" to "Regional Commercial” on Lot 1 and Lot 2, Block 13, NCB 7050, located at 3401, 3403, 3405, and 3407 Nogalitos Street. Staff and Planning Commission recommend Denial. (Associated Zoning Case Z-2019-10700328)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map, 2. Draft Ordinance, 3. Ordinance 2020-02-20-0142

Date	Ver.	Action By	Action	Result
2/20/2020	1	City Council A Session	approved	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 5

SUBJECT:
Plan Amendment Case PA2019-11600096
(Associated Zoning Case Z2019-10700328)

SUMMARY:
Comprehensive Plan Component: Nogalitos South /Zarzamora Community Plan

Plan Adoption Date: September 2004

Current Land Use Category: “Neighborhood Commercial”

Proposed Land Use Category: “Regional Commercial”

BACKGROUND INFORMATION:
Planning Commission Hearing Date: January 8, 2020

Case Manager: Michael Pepe, Planner

Property Owner: 3401-3407 Nogalitos Street Land Trust

Applicant: JL XLVII LLC

Representative: Joesph Lopez Jr.

Location: 3401, 3403, 3405, and 3407 Nogalitos Street

Legal Description: Lot 1, Lot 2, Block 13, NCB 7050

Total Acreage: 0.3251

Notices Mailed
Owners of Property within 200 feet: 25
Registered Neighborhood Associations within 200 feet: Palm Heights Neighborhood Association
Applicable Agencies: Lackland Airforce Base, Texas Department of Transportation,

Transportation
Thoroughfare: Nogalitos
Existing Character: Secondary Arterial B
Proposed Changes: None
Thoroughfare: Gladstone
Existing Character: Local
Proposed Changes: None

Public Transit: There are VIA bus routes within walking distance of the subject property.
Routes Served: 51, 251

ISSUE:
Comprehensive Plan
Comprehensive Plan Component: Nogalitos South /Zarzamora Community Plan
Plan Adoption Date: September 2004

Plan Goals:
The proposed Plan Amendment appears to conflict with the following Goals and Principles of the Nogalitos South /Zarzamora Community Plan:

3.1.4 Identify what types of businesses are needed and not present. Assess what goods and services are needed/wanted by the community.
· Conduct a community survey to determine what businesses the community desires and will support. (coffee shop, bookstore, print shop, hotel)
· Discourage any additional of auto related businesses, bargain stores and flea markets in the area. Ensure that bars are appropriately located.
· Encourage a mix of various sized stores, shops, businesses and facilities that provide all needed goods, services and entertainment (large retailers, department stores, specialty stores, small “mom and pop” businesses, computer/ technology stores, coffee shops, book stores, movies, upscale restaurants, mid-priced hotels, exercise facilities).

The definition of Regional Commercial:
Regional Commercial uses should be located at nodes formed by highways and major arterials, or two major arterials, and are typically 20 acres or greater in size.

Comprehensive Land Use Categories

Land Use Category: Neighborhood Commercial

Description of Land Use Category:

Neighborhood Commercial provides small areas for offices, professional services, service and shop-front retail uses that can be served by pedestrian access and are generally less than 5000 square feet. These include less intense commercial uses with low-impact convenience, retail, or service functions. No drive-through establishments are permitted. Residential uses can be in the same building with retail and office uses. This includes live/work units, small apartment buildings, residential units above retail, and townhouses. Examples of uses include small insurance or doctor's offices, bakery, small restaurant, convenience store without gas pumps, copy service, veterinary office, bank without drive-through, gift shops, social services, and cafes. Community green areas with benches, trees and landscaping; small plazas; and public gathering spaces are encouraged as part of the neighborhood commercial area. Parking is encouraged in the rear of the buildings and should be appropriately buffered from adjacent residential uses through landscaping screening and lighting controls. Buildings should have a predominant percentage of windows across the ground level façades. Service yards are screened from view at the rear of the site. Locations for Neighborhood Commercial uses include arterials and the intersection of two collectors.

Permitted Zoning Districts: NC, O-1, C-1

Land Use Category: Regional Commercial

Description of Land Use Category: Regional Commercial development includes land uses that are automobile related or draw their customer base from a larger region, thus bringing more traffic and parking needs. The design of Regional Commercial developments should incorporate well-defined entrances, shared internal circulation, limited curb cuts to arterial streets, trees that shade ample sidewalks and parking lots, and monument signage. Regional Commercial centers should be linked to adjoining land uses with safe, attractive and convenient vehicular and pedestrian access. Buffering is required if this use abuts a residential use. Regional Commercial uses should be located at nodes formed by highways and major arterials, or two major arterials, and are typically 20 acres or greater in size.

Permitted Zoning Districts: NC C-1 C-2P C-2 C-3 O-1 O-2

Land Use Overview

Subject Property

Future Land Use Classification:

"Neighborhood Commercial"

Current Land Use Classification:

Retail shops, Restaurant

Direction: North

Future Land Use Classification:

"Low Density Residential", "Neighborhood Commercial"

Current Land Use Classification:

Single Family Dwellings, Vacant Retail

Direction: East

Future Land Use Classification:

"Neighborhood Commercial"

Current Land Use Classification:

Grocery Store, Bank

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Direction: South
Future Land Use Classification:
"Neighborhood Commercial"
Current Land Use Classification:
Auto Repair, Grocery Store

Direction: West
Future Land Use Classification:
"Low Density Residential", "Neighborhood Commercial"
Current Land Use Classification:
Single Family Dwellings, Auto Repair

FISCAL IMPACT:
None.

Proximity to Regional Center/Premium Transit Corridor
The property is not within a Regional Center but it is within a premium transit corridor.

STAFF ANALYSIS & RECOMMENDATION:
Staff and Planning Commission (7-0) recommend Denial.

The applicant seeks an amendment in order to rezone to "C-3". The Nogalitos/ South Zarzamora plan purposefully designated the Nogalitos Corridor as "Neighborhood Commercial" to prevent the proliferation of auto and alcohol related business, with the intention that future rezoning would conform to the plan. The corridor at large is consistently planned as "Neighborhood Commercial", and the land uses for the most part meet the plans definition of "Neighborhood Commercial", such as the retail on the subject property, the neighboring bank, and the nearby grocery store. "Regional Commercial" would further enable high intensity "C -3" directly adjacent to single-family homes and "Low Density Residential". Further, the plan calls for "Regional Commercial" on sites 20 acres or greater. The subject property is less than 1 acre.

1. Recommend Approval of the proposed amendment to the Nogalitos South / Zarzamora Community Plan, as presented above.
2. Make an alternate recommendation.
3. Continue to a future date.

ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z2019-10700317
Current Zoning: "C-3R MLOD-2 MLR-2 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District
Proposed Zoning: "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District
Zoning Commission Hearing Date: January 21, 2020