



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-6728

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/3/2020

**Title:** ZONING CASE Z-2020-10700219 S (Council District 5): Ordinance amending the Zoning District Boundary from "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 S MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Bail Bonds on Lot 2 and Lot 3, Block 22, NCB 2320, located at 2704 West Commerce Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2020-12-03-0870

Date	Ver.	Action By	Action	Result
12/3/2020	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2020-10700219 S

**SUMMARY:**

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

**Requested Zoning:** "C-2 S MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Bail Bonds

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 3, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Osix San Antonio Properties, LLC

**Applicant:** Nicholas Kerr

**Representative:** Nicholas Kerr

**Location:** 2704 West Commerce Street

**Legal Description:** Lot 2 and Lot 3, Block 22, NCB 2320

**Total Acreage:** .3607

**Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association, Historic Westside Neighborhood Association

**Applicable Agencies:** Lackland AFB

**Property Details**

**Property History:** The property was part of the original thirty-six (36) square miles of San Antonio and was originally zoned "H" Local Retail District. The previous zoning district converted to "C-3" General Commercial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, and dated May 03, 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:** "C-2"

**Current Land Uses:** Grocery Store

**Direction:** East

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

**Current Land Uses:** Insurance Company

**Direction:** South

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

**Current Land Uses:** Single Family Residential

**Direction:** West

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

**Current Land Uses:** Single Family Residential

**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. 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.

**Thoroughfare:** West Commerce Street

**Existing Character:** Local Arterial

**Proposed Changes:** None Known

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

**Routes Served:** 75, 75, 275, 276, 103

**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 parking minimum for Bank, Credit Unions, Savings and Loan is 1 parking space per 200 sf GFA for the portion of the building used by the financial institution and 1 per 300 sf GFA of office lease space.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district of "C-3" Commercial District.

**Current:** "C-3" General Commercial districts are intended to provide for 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, auto repair, auto sales, and indoor flea market. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in Section 35-510 of the Unified Development Code.

**Proposed:** "C-2" Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "S" Specific Use Authorization allows all "C-2" uses in addition to a Bail Bonds Office.

**FISCAL IMPACT:**

None.

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

The property is located not located within a regional center and is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (7-2) 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 Guadalupe Westside Community Plan and is currently designated as “Mixed Use” 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 did not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested “C-2 S” Commercial District with a Specific Use Authorization for a Bail Bonds Office is a downzoning and is consistent and compatible with existing and surrounding zoning and uses.

The base district will remain “C-2” Commercial District. The “S” Specific Use Authorization allows consideration of a Bail Bonds Office.

**3. Suitability as Presently Zoned:**

The current “C-3” General Commercial District is appropriate for the property and surrounding area. The requested “C-2 S” base-zoning district with a Specific Use Authorization is required for the Bail Bonds Office operation.

**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 Guadalupe Westside Community Plan:

**Plan Goals and Objectives:**

- **Objective 19.4 Promote Compatibility Between Businesses and Residents**
  - 19.1.4 Create action plan to address vacant parcels and underutilized or deteriorating buildings
  - 19.4.1 Consider mixed-use developments, which promote compatibility through design guidelines and encourage pedestrian activity on the street.
  - 19.4.2 Ensure availability of goods and services to serve the local community, in addition to larger regional markets

**6. Size of Tract:**

The subject property is 0.3607 acres, which could reasonably accommodate commercial uses. The suite where the Bail Bonds Office is operating out of is 800 square feet, which can reasonably support this 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. The Military has indicated that there are no objections to this request.

The downzoning to a “C-2” Commercial base-zoning district for this Community Commercial Shopping center will allow all current businesses to remain, while allowing a large array of businesses to fill the empty suites, including the Bail Bonds Agency, which requires a “S” Specific Use Authorization.