



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-3953

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 6/1/2021

**Title:** ZONING CASE Z-2021-10700101 (Council District 5): A request for a change in zoning from "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-4 MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on East 59.5 Feet of North 110 Feet of Lot 6, Block 12, NCB 2317, located at 2422 West Commerce Street. Staff recommends Approval. (Michael Pepe, Senior Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2021-10700101

**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:** "RM-4 MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 1, 2021

**Case Manager:** Michael Pepe, Senior Planner

**Property Owner:** Lonestar Capital Holdings LLC

**Applicant:** Kristopher Bush

**Representative:** Kristopher Bush

**Location:** 2422 West Commerce Street

**Legal Description:** East 59.5 Feet of North 110 Feet of Lot 6, Block 12, NCB 2317

**Total Acreage:** 0.1505

**Notices Mailed**

**Owners of Property within 200 feet:** 35

**Registered Neighborhood Associations within 200 feet:** Historic Westside Neighborhood Association

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The property was a part of the original 36 square miles of the City of San Antonio and was originally zoned "H" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "H" converted to "C-3" General 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-3"

**Current Land Uses:** Botanica, Single Family Housing

**Direction:** South

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

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

**Direction:** East

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

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

**Direction:** West

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

**Current Land Uses:** Vacant light retail

**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.

### **Transportation**

**Thoroughfare:** West Commerce

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

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

Routs Served: 75, 275

**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 single-family dwellings is 1 space per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**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, 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.

**Proposed:** “RM-4” Residential Mixed District accommodates single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

### **FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center but it is located within the 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 Guadalupe Westside Community Plan and is currently designated as “High Density Mixed Use” in the future land use component of the plan. The requested “RM-4” base zoning 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. The rezoning would reduce potential impacts of the existing “C-3” General Commercial District.

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

The current “C-3” General Commercial District is not an appropriate zoning for the property, which is currently developed as residential and is adjacent to other homes. The requested “RM-4” Residential Mixed is more appropriate to the area and constitutes a downing zoning. The proposed housing is within walking distance of area retail and community facilities and has appropriate transit access. Although the surrounding area is zoned “C-3”, this is a result of the conversion from the previous cumulative zoning which allowed both housing and commercial. The area still consists of several housing units adjacent to the subject property. As such, a quadplex is appropriate for the mixed-use nature of the block.

## **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:

### **Objective 20.1: Diversity of Housing**

Promote a diverse variety of housing stock in the community that sustains all ages and economic groups.

20.1.1 Encourage and facilitate the development of quality, diverse housing that is Compatible with the character of the neighborhood.

- Explore the use of environmental sensitive housing and utilizing green building practices to improve housing stock.

- Ensure that new housing stock meets the needs of a mix of income levels

20.1.2 Promote the development of a variety of housing sizes and prices including retirement housing, assisted living, quality affordable single-family houses, small apartment complexes (6 to 20 units), and housing in mixed-use buildings.

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

The subject property is 0.1505 acres, which could reasonably the requested residential uses.

## **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 the request. The Military has indicated that there is no objection to this request.