



City of San Antonio

Legislation Details (With Text)

File #: 21-3955
Type: Zoning Case
In control: Zoning Commission
On agenda: 6/1/2021
Title: ZONING CASE Z-2021-10700103 (Council District 7): A request for a change in zoning from "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot 1, NCB 11997, located at 103 North Acme Road. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2021-11600035) (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: 7

SUBJECT:

Zoning Case Z-2021-10700103
(Associated Plan Amendment PA-2021-11600035)

SUMMARY:

Current Zoning: "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: June 1, 2021

Case Manager: Michael Pepe, Senior Planner

Property Owner: Orlando Cepeda

Applicant: Robert Delgado

Representative: Robert Delgado

Location: 103 North Acme Road

Legal Description: Lot 1, NCB 11997

Total Acreage: 0.40

Notices Mailed

Owners of Property within 200 feet: 27

Registered Neighborhood Associations within 200 feet: Los Puentes Neighborhood Association

Applicable Agencies: Lackland Airforce Base

Property Details

Property History: The property was zoned “Temporary A” upon being annexed into the City on September 24, 1952, according to Ordinance 18115. The property zoned “Temporary A” was converted to “R-5” Residential Single-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 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: Strip Retail, Multifamily Apartments

Direction: East

Current Base Zoning: “C-3NA CD”

Current Land Uses: Self Storage

Direction: West

Current Base Zoning: “C-3”

Current Land Uses: Strip Retail

Direction: South

Current Base Zoning: “C-2”

Current Land Uses: Restaurant

Overlay and Special District Information:

"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.

"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.

Transportation

Thoroughfare: Culebra

Existing Character: Principal

Proposed Changes: None Known

Public Transit: There are VIA bus routes within walking distance.

Routes served: 618

Traffic Impact: A Traffic Impact Analysis (TIA) is not required.

Parking Information: The parking minimum for a day care center is 1 space for 375 square feet of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current: Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed: C-2 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

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.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends 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 subject property is located within the West / Southwest Sector Plan and is currently designated as “Civic Center” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the “Civic Center” future land use designation. The applicant has requested a plan amendment to “General Urban Tier”. Staff and Planning Commission recommend Approval.

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 proposed “C-2” allows the property to be developed like the nearby retail strip. There are “C-2”

and “C-3” zoning and uses to the east, west and south of the subject property.

3. Suitability as Presently Zoned:

The current “R-5” Residential Single-Family District is not an appropriate zoning for the property and surrounding area. The property is currently surrounded by commercial zoning and uses and a highly trafficked roadway, which is not appropriate for a single-family zoned property. The proposed “C-2” Commercial District is more consistent with development in this area and on a corner lot.

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 West / Southwest Sector Plan

Goal ED-2: Existing and planned future corridors and accessible, pedestrian commercial nodes contain strong, vibrant business activities with a mix of uses and employment opportunities

ED-1.3 Stimulate and support increased activity of existing businesses

LU-3.1 Consider re-zoning corridors in accordance with the West/Southwest Sector Land Use Plan

Goal ED-3.1: Ensure the development of new business locations and employment centers are compatible with the West/Southwest Sector Land Use Plan

6. Size of Tract:

The subject property is 0.4 acres, which could reasonably accommodate commercial uses.

7. Other Factors:

The subject property is located within the Lackland Air Force Base 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.