



City of San Antonio

Legislation Details (With Text)

File #: 21-5097
Type: Zoning Case
In control: Zoning Commission
On agenda: 8/3/2021
Title: ZONING CASE Z-2021-10700161 (Council District 5): A request for a change in zoning from "R-6 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 0.476 acres out of NCB 8250, located at 130 Northwest 36th Street. Staff recommends Denial. (Joyce Palmer, Planner, (210) 207-0315, Joyce.Palmer@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 Z2021-10700161

SUMMARY:

Current Zoning: "R-6 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: August 3, 2021

Case Manager: Joyce Palmer, Senior Planner

Property Owner: Adarsh Hari

Applicant: Adarsh Hari

Representative: Adarsh Hari

Location: 130 Northwest 36th Street

Legal Description: 0.476 acres out of NCB 8250

Total Acreage: 0.476 acres

Notices Mailed

Owners of Property within 200 feet: 14

Registered Neighborhood Associations within 200 feet: Los Puentes Neighborhood Association and Memorial Heights Neighborhood Association

Applicable Agencies: Lackland Air Force Base

Property Details

Property History: The subject property was annexed into the city by Ordinance 2590, dated September 5, 1945 and was originally zoned "C" Apartment District. The previous "C" Apartment District converted to "MF-33" Multi-Family District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was rezoned to "R-6" Residential Single-Family Ordinance 98010, dated August 14, 2003.

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: "R-6"

Current Land Uses: Single-family dwellings

Direction: East

Current Base Zoning: "C-3 S"

Current Land Uses: Storage yard

Direction: South

Current Base Zoning: "R-6"

Current Land Uses: Vacant land

Direction: West

Current Base Zoning: "MF-33" "R-6"

Current Land Uses: Multi-family dwellings, school, vacant land

Overlay and Special District Information:

"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.

"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: Northwest 36th Street

Existing Character: Local

Proposed Changes: None

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

Routes 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 a restaurant is 1 space per 100 square feet.

ISSUE: None.

ALTERNATIVES:

Current: The current “R-6” Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

Proposed: The proposed “C-2” Commercial District accommodates 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 or a premium transit corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial.

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 “General Urban Tier.” The requested “C-2” is consistent with the future land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Surrounding land uses are largely residential, and adjacent property is zoned for single-family use.

3. Suitability as Presently Zoned:

The current "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "C-2" would be out of character between largely residential uses.

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:

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

HOU-3.1- Re-invest in existing residential neighborhoods

6. Size of Tract:

The subject property is 0.476 acres, which could reasonably accommodate commercial 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.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. On March 11, 2016, OHP let the owner know the property was eligible for demolition.