



# City of San Antonio

## Agenda Memorandum

**File Number:**19-1305

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**Agenda Item Number:** Z-36.

**Agenda Date:** 1/17/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018292

**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, "O-2 MLOD-2 MLR-1 AHOD" High-Rise Office Lackland Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District, and "C-3NA MLOD-2 MLR-1 AHOD" General Commercial Non-Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District

**Requested Zoning:** "R-3 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 4, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Alejandro Cantu Investment Group, LLC

**Applicant:** Alejandro Cantu, Jr.

**Representative:** Armando Cantu

**Location:** 2220 Calle Estrella and 2240 Calle Estrella

**Legal Description:** 1.68 acres out of NCB 6680

**Total Acreage:** 1.68

### **Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Lackland Air Force Base

### **Property Details**

**Property History:** The subject property was included in the Original 36 Square-Mile City Limits of San Antonio and was zoned "LL" First Manufacturing District. A portion of the lot was rezoned to "R-1" Single-Family Residence District, established by Ordinance 84519, dated August 8, 1996. The current "R-6" Residential Single Family District converted from the previous "R-1" base zoning district upon adoption of the 2001 Unified Development Code, dated May 3, 2001. The other portions of the property were rezoned to "O-1" Office District and "B-3NA" Non-Alcoholic Sales Business District, established by Ordinance 87216, dated January 8, 1998. The current "O-2" High Rise Office District and "C-3NA" General Commercial Nonalcoholic Sales District converted from the previous "O-1" and "B-3NA," respectively, upon adoption of the 2001 Unified Development Code.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

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

**Direction:** East

**Current Base Zoning:** I-1

**Current Land Uses:** Ripley Custom Homes, Auto Salvage/Repair, Bar

**Direction:** South

**Current Base Zoning:** I-1

**Current Land Uses:** Bar, Auto Salvage, Vacant Lot, VFW Parking Lot

**Direction:** West

**Current Base Zoning:** C-3NA, O-2, R-6

**Current Land Uses:** VFW Post

**Overlay and Special District Information:** 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:** Calle Estrella

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** The nearest bus stop is over a mile walk away from the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report may be required.

**Parking Information:** Single-Family Dwellings require a minimum of one (1) parking space per unit and does not have a maximum.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-6” base zoning district permits single-family dwellings (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. The “O-2” base zoning district provides for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited. The “C-3NA” base zoning district is identical to C-3 districts except that the sale of alcoholic beverages is prohibited. The “C-3” base zoning district is 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.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Port San Antonio Regional Center and is not located within a half-mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (7-3) 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 Kelly/South San PUEBLO Land Use Plan and is currently designated as “Medium Density Residential” in the land use component of the plan. The requested “R-3” base zoning district is consistent with the adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. There are single-family residential uses in the immediate vicinity. The proposed use of single-family residential is an appropriate fit for the area.

**3. Suitability as Presently Zoned:**

The subject property is currently split-zoned into “R-6” Residential Single-Family, “O-2” High Rise Office District, and “C-3NA” General Commercial Nonalcoholic Sales District. The existing “R-6” base zoning district is appropriate for the surrounding area. The existing “O-2” and “C-3NA” base zoning districts are not appropriate for the surrounding area.

**4. Health, Safety and Welfare:**

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The 1.68 acre site is of sufficient size to accommodate the proposed development. The lot is currently vacant and access would be through Calle Estrella.

**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 reviewed the request on August 27, 2018 and have no objection to the request. All military requirements have been forwarded to the applicant.