# City of San Antonio

## Agenda Memorandum

**File Number:** 19-1799

**Agenda Item Number:** 5.

**Agenda Date:** 2/5/2019

**In Control:** Zoning Commission

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**
Zoning Case Z2018346
(Associated Plan Amendment PA18102)

**SUMMARY:**
**Current Zoning:** "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-2NA MLOD-2 MLR-2 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ MLOD-2 MLR-2 AHOD" Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District for an office, auto light truck repair, and uses permitted in "C-2P" and "R-4"

**BACKGROUND INFORMATION:**
**Zoning Commission Hearing Date:** February 5, 2019. This case is continued from the January 15, 2019 hearing.

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Miriam and Tomas Chico

**Applicant:** Fernando De Leon

**Representative:** Brown & Ortiz, P.C.

**Location:** Generally located southwest of Colima Street and South Zarzamora Street

**Legal Description:** 0.38 acres out of NCB 6128

**Total Acreage:** 0.38

**Notices Mailed**
**Owners of Property within 200 feet:** 45
**Registered Neighborhood Associations within 200 feet:** Historic Westside Residents Association
**Applicable Agencies:** Lackland Military Base

**Property Details**
**Property History:** The subject property was rezoned to "R-7" Small Lot Home District and "B-2NA" Non-Alcoholic Sales Business District by Ordinance 75720, dated April 30, 1992. The property converted from"R-7" Small Lot Home District and "B-2NA" Non-Alcoholic Sales Business District to the current "R-4" Residential Single-Family and "C-2NA" Commercial Nonalcoholic Sales District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**
**Direction**: North
**Current Base Zoning:** "R-4" and "C-2"
**Current Land Uses:** Single-Family Residences

**Direction**: East
**Current Base Zoning:** "R-4"
**Current Land Uses:** Single-Family Residences

**Direction**: South
**Current Base Zoning:** "R-4"
**Current Land Uses:** Single-Family Residences

**Direction**: West
**Current Base Zoning:** "R-4"
**Current Land Uses:** Single-Family Residences

**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:** South Zarzamora Street
**Existing Character:** Primary Arterial Type B
**Proposed Changes:** None Known
**Public Transit:** VIA bus routes are within walking distance of the subject property.
Routes Served: 68, 268, 520

**Thoroughfare:** Colima Street
**Existing Character:** Local
**Proposed Changes:** None Known
**Public Transit:** VIA bus routes are within walking distance of the subject property.
Routes Served: 68, 268, and 520

**ISSUE:**
None.

**ALTERNATIVES:**
Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of "R-4" and "C-2NA". "Residential districts provide 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.
"C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

**FISCAL IMPACT:**
None.

**Proximity to Regional Center/Premium Transit Corridor**
The subject property is located within half mile of 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 Guadalupe Westside Community Plan and is currently designated as "Low Density Residential" and "Low Density Mixed Use" in the future land use component of the plan. The requested "IDZ" base zoning is not compatible with the future land use designation. The applicant is requesting a Plan Amendment to "Low Density Mixed Use" to accommodate the proposed rezoning. Staff recommends Approval of the Plan Amendment. The Planning Commission recommended approval of the Plan Amendment on October 24, 2018.

**2. Adverse Impacts on Neighboring Lands:**
Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request introduces uses that are considered incompatible with the surrounding residential uses.

**3. Suitability as Presently Zoned:**
The current "R-4" Residential Single-Family District and "C-2NA" Commercial Nonalcoholic Sales District are an appropriate zoning for the property and surrounding area.

**4. Health, Safety and Welfare:**
Staff has found indication of likely adverse effects on the public health, safety, or welfare. Introducing auto &

light truck repair closer into the residential area will have a negative impact on the health, safety, or welfare of the nearby residents.

**5. Public Policy:**
The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the Guadalupe Westside Community Plan.

Guadalupe Westside Community Plan Relevant Goals and Objectives:

- 20.1.3 Reduce occurrences of commercial encroachment into residential areas.

The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the SA Tomorrow Comprehensive Plan.

SA Tomorrow Comprehensive Plan Relevant Goals and Objectives:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development

**6. Size of Tract:**
The subject property is 0.38 acres, which would adequately support an infill development.

**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.

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings of structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

- The applicant's request meets the Master Plan's Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.
- The applicant's request meets the Master Plan's Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The applicant's request the Master Plan's Policy for Neighborhoods - Policy 2b, because it creates mixed-use districts.