



# City of San Antonio

## Agenda Memorandum

**File Number:**19-2846

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**Agenda Item Number:** 8.

**Agenda Date:** 4/2/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700034 CD

**SUMMARY:**

**Current Zoning:** "C-3NA MLOD-3 MLR-2" General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

**Requested Zoning:** "C-2 CD MLOD-3 MLR-2" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with Conditional Use for Alcohol Distillation, Storage, and Tasting Room

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 2, 2019

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Donald Keith Pike & Mary Ann Pike

**Applicant:** Donald Keith Pike

**Representative:** Donald Keith Pike

**Location:** 2701 Dignowity Avenue

**Legal Description:** Lot 22, Block 6, NCB 1194

**Total Acreage:** 0.6130

**Notices Mailed**

**Owners of Property within 200 feet:** 13

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance

**Applicable Agencies:** Fort Sam Houston

### **Property Details**

**Property History:** The property is within the original 36 square miles of the City of San Antonio. The property was rezoned from “C” Apartment District to “B-3NA” Non-Alcoholic Sales Business District by Ordinance 91607, dated April 13, 2000. The property converted from “B-3NA” Non-Alcoholic Sales Business District to the current “C-3NA” General Commercial Nonalcoholic Sales District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

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

**Direction:** North

**Current Base Zoning:** “UZROW”

**Current Land Uses:** Freeway

**Direction:** East

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Residential Dwellings

**Direction:** South

**Current Base Zoning:** “C-2” and “MF-33”

**Current Land Uses:** Medical Clinic

**Direction:** West

**Current Base Zoning:** “MF-33”, “I-1”, and “C-2”

**Current Land Uses:** Fast-Food Restaurant

### **Overlay and Special District Information:**

“MLOD-3”

All surrounding properties carry the “MLOD-3” Military Lighting Overlay District, due to their proximity to Martindale. The “MLOD-3” 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:** Dignowity Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** IH-35

**Existing Character:** Freeway

**Proposed Changes:** None Known

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

Routes Served: 21, 22, 222, and 515

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. The traffic generated by the proposed development does exceed the threshold requirements.

**Parking Information:**

The minimum parking requirement for a distillery is 1 space per 600 sf GFA

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of "C-3NA". "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or half a mile of a 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 Government Hill Neighborhood Plan and is currently designated as "Community Commercial" in the future land use component of the plan. The requested "C-2" base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request is a downzoning of the current "C-3" base zoning district and will have less negative impacts on the surrounding properties.

**3. Suitability as Presently Zoned:**

The current "C-3" base zoning is an inappropriate zoning for the property and surrounding area. Even though the subject property has access from the frontage road of IH-35, it is not near an intersection of two major arterials, where "C-3" uses are more compatible. The subject property is also surrounded by residential and medical uses where "C-2" uses will be more appropriate.

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

Staff has found no 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 Government Hill Neighborhood Plan:

- Redevelop and revitalize the neighborhood.

- Objective: To encourage and support any revitalization and redevelopment efforts consistent with this plan.

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

The subject property is 0.6130 acres, which could reasonably accommodate Alcohol Distillation, Storage, and Tasting Room.

#### **7. Other Factors:**

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.