



# City of San Antonio

## Agenda Memorandum

**File Number:**19-4354

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**Agenda Item Number:** 6.

**Agenda Date:** 6/4/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2019-10700086

**SUMMARY:**

**Current Zoning:** "C-3R MLOD-2 MLR-2 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 4, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Costa Del Mar Corp

**Applicant:** Jose Ybarra

**Representative:** Jose Ybarra

**Location:** 3110 South Zarzamora

**Legal Description:** Lots 1-4, Block 1, NCB 9023

**Total Acreage:** 0.8379

**Notices Mailed**

**Owners of Property within 200 feet:** 35

**Registered Neighborhood Associations within 200 feet:** Palm Heights Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio. The subject property was rezoned from "R-2" Two Family Residence District to "B-3R" Restrictive Business District under Ordinance 83171, dated 9 November 1995. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-3R" Restrictive Business District converted to the current "C-3 R" General Commercial Restrictive Alcoholic Sales District.

**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-3"

**Current Land Uses:** Commercial Uses

**Direction:** South

**Current Base Zoning:** "C-3R"

**Current Land Uses:** Gas Station

**Direction:** East

**Current Base Zoning:** "R-5"

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

**Direction:** West

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

**Current Land Uses:** Café and Single-Family Residence

### **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:** Zarzamora

**Existing Character:** Primary Arterial B

**Proposed Changes:** None Known

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

**Routes Served:** 103

**Traffic Impact:** A Traffic Impact Analysis (TIA) is/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 foot.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-3". These districts 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 within a Regional Center and located within the 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 Nogalitos/ S. Zarzamora Community Plan and is currently designated as "Neighborhood Commercial" in the future land use component of the plan. The requested "C-1" base zoning district is consistent with the future land use designation.

**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.

**3. Suitability as Presently Zoned:**

The current "C-3R" General Commercial Restrictive Alcoholic Sales District is an appropriate zoning for the property and surrounding area. The proposed "C-1" Commercial District is more appropriate and consistent with the future land use designation.

**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 Nogalitos/ S. Zarzamora Community Plan:

Objective 3.1: Attract and support a variety of businesses in a walkable, mixed-use environment.

Action Step 3.1.2: Discourage any additional of auto related businesses, bargain stores and flea markets in the area. Ensure that bars are appropriately located.

**6. Size of Tract:**

The subject property is 0.8379 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.