



City of San Antonio

Agenda Memorandum

Agenda Date: January 21, 2025

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon, Director

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2024-10700319 CD

SUMMARY:

Current Zoning: “R-4 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, “C-2 CD MLOD-2 MLR-1 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Home Improvement Center, and “C-3R MLOD-2 MLR-1 AHOD” General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: “C-2 CD MLOD-2 MLR-1 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Home Improvement Center

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: January 21, 2025.

Case Manager: Eradio Gomez, Zoning Senior Planner

Property Owner: Amram Holdings LLC

Applicant: Crystal Mendoza

Representative: Crystal Mendoza

Location: 924 South San Augustine Avenue

Legal Description: Lot 188, Block 3, NCB 8124

Total Acreage: 0.38

Notices Mailed

Owners of Property within 200 feet: 34

Registered Neighborhood Associations within 200 feet: Las Palmas

City-Wide Community Organizations: T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, and Lifeline Overeaters Anonymous Community Organizations

Applicable Agencies: Lackland Air Force Base, Planning Department

Property Details

Property History: The property was annexed by Ordinance 1258 on August 3, 1944, and zoned “JJ” Commercial District. The western portion of the subject property was rezoned by Ordinance 72510, dated October 18, 1990, from “JJ” Commercial District to “R-7” Small Lot Home Residence District. The eastern portion of the subject property was rezoned by Ordinance 73389, dated March 28, 1991, from “JJ” Commercial District to “B-3R” Restrictive Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property zoned “R-7” Small Lot Home Residence District converted to “R-4” Residential Single-Family District, the “B-3R” Restrictive Business District converted to the current “C-3R” General Commercial Restrictive Alcoholic Sales District. The eastern portion of the property was rezoned by Ordinance 2021-01-21-0045, dated January 21, 2021, to the current “C-2 CD” Commercial District with a Conditional Use for a Home Improvement Center.

Code & Permitting History:

There is no code enforcement or permitting history for the subject property.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: C-2NA, R-4, C-3R

Current Land Uses: Residential Single-Family, Food Service Establishment, Pet Grooming

Direction: South

Current Base Zoning: R-4, C-2NA, C-3R, C-3

Current Land Uses: Residential Single-Family, Money Transfer Service, Food Service Establishment

Direction: East

Current Base Zoning: C-3R

Current Land Uses: Shopping Center, Grocery Store, Gas Station, Cell Phone Store

Direction: West

Current Base Zoning: R-4

Current Land Uses: Residential Single-Family

Overlay District Information:

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

The "MLOD-2" Lackland Military Lighting Overlay District 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.

Special District Information:

None.

Transportation

Thoroughfare: South San Augustine Avenue

Existing Character: Local

Proposed Changes: None Known.

Transportation

Thoroughfare: South General McMullen Drive

Existing Character: Principal, Primary Arterial A

Proposed Changes: None Known.

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 67, 68, 268, 275, 522, 524

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: The minimum parking requirement for a Home Improvement Center is 1 space per 400 sf GFA of sales and service building. The maximum parking requirement is 1.5 per 375 sf GFA of sales and service building.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family District allows for single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

"C-3R" General Commercial Restrictive Alcoholic Sales District are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

"C-2 CD" 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.

The “CD” Conditional use for a Home Improvement Center.

Proposed Zoning: “C-2 CD” 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.

The “CD” Conditional use for a Home Improvement Center.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center but is within ½ a mile of the General McMullen Babcock 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 approval criteria below.

- 1. Consistency:** The subject property is located within the West/Southwest Sector Plan and is currently designated as “General Urban Tier” in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted 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. The proposed use is consistent with the established development pattern of the surrounding area. A portion of the property is currently zoned “C-2 CD” Commercial District with a Conditional use for a Home Improvement Center.
- 3. Suitability as Presently Zoned:** The existing “R-4” Residential Single-Family District, “C-2 CD” Commercial District with a Conditional use for a Home Improvement Center, “C-3R” General Commercial Restrictive Alcoholic Sales District are appropriate zonings for the property and surrounding area. The proposed “C-2 CD Commercial District with a Conditional use for a Home Improvement Center is also appropriate. The applicants are wanting to consolidate the varied zonings for their property into one zoning district and bring the existing window sales shop into compliance. There are established commercial uses at a similar intensity to the north, east, and south along General McMullen Drive.

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 request does appear to conflict with public policy. Relevant Goals and Policies of the Comprehensive Master Plan may include:

- GCF Goal 1 Higher Density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- H P30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Policies of the Heritage South Sector Plan may include:

- Goal LU-1 Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.
 - LU-1.1: Limit encroachment of commercial uses into established low-density residential areas.
 - LU-1.3: Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby.

6. Size of Tract: The 0.38 acres site is of sufficient size to accommodate the proposed commercial development.

7. Other Factors: Use The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this 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.

The applicant is rezoning to bring into compliance the existing Home Improvement Center.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.