



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 18, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700282

**SUMMARY:**

**Current Zoning:** "C-2NA MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 18, 2025. This case was continued from the February 4, 2025 and January 7, 2025 hearing.

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Jivani-Bardoi Ventures LLC

**Applicant:** Daniel Gonzales

**Representative:** Daniel Gonzales

**Location:** 1246 South General McMullen Drive

**Legal Description:** 0.496 acres out of NCB 8721

**Total Acreage:** 0.496 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** El Charro Neighborhood Association, Westwood Square Neighborhood Association, Brady Gardens Neighborhood Association

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

**Applicable Agencies:** Lackland AFB, Planning Department

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 2381, dated July 2, 1945, and zoned “JJ” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “JJ” Commercial District converted to “I-1” General Industrial District. The property was rezoned by Ordinance 2009-03-19-0230, dated March 19, 2009, to “C-3 R” General Commercial Restrictive Alcoholic Sales District. The property was rezoned by Ordinance 2023-08-03-0515, dated August 3, 2023, from “C-3 R” General Commercial Restrictive Alcoholic Sales District to the current “C-2NA” Commercial Non-Alcoholic Sales District.

**Code & Permitting Details:** There is no code enforcement of 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:** “RM-4,” “R-6,” “O-1,” “C-2,” “R-5”

**Current Land Uses:** Tax Service, Animal Hospital, Single-Family Dwellings

**Direction:** South

**Current Base Zoning:** “C-2NA,” “C-1,” “R-4”

**Current Land Uses:** Church, Insurance Agency, Dentist, Single-Family Dwellings

**Direction:** East

**Current Base Zoning:** “R-4,” “R-4 CD,” “C-2”

**Current Land Uses:** Single-Family Dwellings, Multi-Family Dwellings

**Direction:** West

**Current Base Zoning:** “C-2NA,” “C-2NA CD,” “C-2NA S,” “C-2 S,” “R-5”

**Current Land Uses:** Fast Food Restaurant, Car Wash, Vacant Land

### **Overlay District Information:**

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.

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.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** South General McMullen Drive

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None known.

**Thoroughfare:** Ceralvo Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 66, 268, 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 alcohol-beverage retail sales is 1 space per 300 sf GFA and the maximum parking requirement is 1 space per 200 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-2NA" Commercial Nonalcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: "C-2" Commercial Districts accommodate 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.

**FISCAL IMPACT:**

None.

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

Subject property is not located within a Regional Center and is within ½ a mile from the General McMullen-Babcock 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 approval criteria below.

1. **Consistency:** The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is inconsistent with the established development pattern of the surrounding area. Surrounding properties are “C-2NA” Commercial Non-Alcoholic Sales District, “C-2” Commercial District, “C-1” Light Commercial District, “O-1” Office District, “R-5” Residential Single-Family District, “R-6” Residential Single-Family District, and “RM-4” Residential Mixed District.
3. **Suitability as Presently Zoned:** The existing “C-2NA” Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The proposed “C-2” Commercial District is not appropriate. Many of the commercial properties along the General McMullen corridor were rezoned in 2023 with the “NA”, which prohibits alcohol sales. The request to change to “C-2” would introduce alcohol sales within close proximity to established single-family residential and reverse the goal from the recent rezoning.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with any public policy. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF Goal 6: Growth and city form support community health and wellness.
  - 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 0.496 acres site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The proposed zoning is to allow for alcohol sales. The requested use is for a package store/liquor store.

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 objection to this request.