



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 3, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700184 HL

**SUMMARY:**

**Current Zoning:** "I-1 WQ MLOD-2 MLR-2 AHOD" General Industrial Westside Creeks Water Quality Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3 S WQ MLOD-2 MLR-2 AHOD" General Commercial Westside Creeks Water Quality Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Wireless Communication System

**Requested Zoning:** "I-1 HL WQ MLOD-2 MLR-2 AHOD" General Industrial Historic Landmark Westside Creeks Water Quality Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3 S HL WQ MLOD-2 MLR-2 AHOD" General Commercial Historic Landmark Westside Creeks Water Quality Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Wireless Communication System

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 3, 2024

**Case Manager:** Eradio Gomez, Zoning Senior Planner

**Property Owner:** Hesam Adin Mesbah and Sona M. Jeffries

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 901 Nogalitos Street

**Legal Description:** 1.740 acres out of NCB A-18

**Total Acreage:** 1.740

**Notices Mailed**

**Owners of Property within 200 feet:** 8

**Registered Neighborhood Associations within 200 feet:** Collins Garden

**Applicable Agencies:** Lackland AFB, Office of Historic Preservation, Parks Department, Texas Department of Transportation

**Property Details**

**Property History:** The property was part of the Original 36 square miles of the City of San Antonio and zoned “J” Commercial District. A portion of the property was rezoned by Ordinance 8192, dated March 23, 1995, to “B-3” CC Business District with special City Council Approval for a communication transmission tower. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property zoned “J” Commercial District was converted into the current “I-1” Light Industrial District and the portion zoned “B-3” was converted to the current “C-3 S” General Commercial District with a Specific Use Authorization for Wireless Communication System.

**Code & Permitting Details:**

None.

**Topography:** A portion of subject property is located within the 100 Year Flood Plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “IDZ”, “R-5”

**Current Land Uses:** Recreation Club House, Residential Single-Family, Food Service, Vacant Land

**Direction:** South

**Current Base Zoning:** “I-1”

**Current Land Uses:** San Pedro Creek Greenway, Bar, Hotel, Residential Single-Family, Beauty Salon

**Direction:** East

**Current Base Zoning:** “I-1”

**Current Land Uses:** Granite Supplier, Residential Single-Family

**Direction:** West

**Current Base Zoning:** UZROW

**Current Land Uses:** San Pedro Creek Greenway, IH-10, Multi Family, 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.

The "HL" Historic Landmark, "HS" Historic Significant or "HE" Historic Exceptional overlay district designation signifies the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property but do regulate the exterior aesthetic of the structure. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Ralph Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Nogalitos Street

**Existing Character:** Principal, Secondary Arterial B

**Proposed Changes:** None known.

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

**Routes Served:** 51, 251

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The parking requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "I-2" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop,

abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

“C-3” General Commercial District is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

With a Specific Use Authorization for Wireless Communication System.

Proposed Zoning: “I-2” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

“C-3 S” General Commercial District is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. The “S” Specific Use Authorization is for a Wireless Communication System.

This request for “HL” adds a Historic Overlay.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Downtown Regional Center and is not located within ½ a mile from Premium Transit Corridors.

**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 Lone Star Community Plan, adopted in 2013, and is currently designated as Low Density Mixed Use in the future land use component of the plan. Application of the historic landmark is consistent with the goals and objectives of the adopted plan.
- 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 rezoning is for the application of historic designation and does not change the current use or base zoning designation.
- 3. Suitability as Presently Zoned:** The proposed rezoning is for the application of “HL” Historic Landmark Overlay designation and does not change the current base zoning 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 request does not appear to conflict with any public policy. Relevant Goals and Policies of the Lone Star Community Plan:
  - Strategy QL-2.3: Include Lone Star Neighborhoods in DCCD Cultural Corridors Initiative that celebrates and recognizes burgeoning arts developments in the Plan area as economic and cultural generators.
  - QL-5: Preserve, promote, and enhance identities of area’s distinct neighborhoods through public art, signage and cultural tourism initiatives.
- 6. Size of Tract:** The 1.740 acres site is of sufficient size to accommodate the existing uses.
- 7. Other Factors:** The request for landmark designation was initiated by the owner. The application is for an “HL” Historic Landmark designation for the “I-1” General Industrial District and the “C-3” General Commercial District.

On July 17, 2024, the Historic and Design Review Commission (HDRC) approved a Finding of Historic Significance, identifying the property as historically significant based on criteria listed in Section 35-607 (b) of the Unified Development Code. The criteria identified as being applicable to the subject property are specified below. HDRC concurred with the applicant that 901 Nogalitos Street met UDC criterion [35-607(b)6], [35-607(b)11], and [35-607(b)12] for a finding of historic significance in the process of seeking designation as a local historic landmark. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 901 Nogalitos Street meets three.

6. Its historical, architectural or cultural character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures; this utilitarian structure maintains its historic,

architectural, and cultural character as the only example of a Tudor Style Gas Station and the only extant Pure Oil Station remaining in San Antonio.

11. It is distinctive in character, interest or value; strongly exemplifies the cultural, economic, social, ethnic or historical heritage of San Antonio, Texas or the United States; this gas station exemplifies the economic heritage of the oil industry that played an important role in the economic growth of the state and the city in the early twentieth century. It also represents a societal shift from older transportation methods to a reliance on personal automobiles.

12. It is an important example of a particular architectural type or specimen; as an important example of a Tudor Style gas station featuring a residential appearance with typical Tudor stylistic characteristics including steeply pitched, side gable roof and half timbering on the gabled ends of the building and canopy with few intrusions or modifications.

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. The Military has indicated that there are no objections to this request.