



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 17, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700265

**SUMMARY:**

**Current Zoning:** "AE-3 S EP-1 MLOD-3 MLR-2" Arts and Entertainment Facility Parking/Traffic Control Overlay Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District with a Specific Use Authorization for Floor Covering - Retail

**Requested Zoning:** "C-2 EP-1 MLOD-3 MLR-2" Commercial Facility Parking/Traffic Control Overlay Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2024

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

**Property Owner:** Two Commerce, LLC c/o Sung Kim

**Applicant:** Two Commerce, LLC c/o Sung Kim

**Representative:** Two Commerce, LLC c/o Sung Kim

**Location:** 3414 East Commerce Street

**Legal Description:** Lot 20, Block 1, NCB 11674

**Total Acreage:** 0.9944 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 44

**Registered Neighborhood Associations within 200 feet:** Coliseum Willow Park Neighborhood Association, Jefferson Heights 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:** Martindale, Fort Sam Houston

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 15765, dated October 17, 1951, and was originally zoned “B-3” Business District. A portion of the property was rezoned by Ordinance 48284, dated July 21, 1977, to “I-1” Light Industry District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the portion of the property zoned “I-1” Light Industry District converted to “I-1” General Industrial District and the portion of the property zoned “B-3” Business District converted to “C-3” General Commercial District. The property was rezoned by Ordinance 2008-12-04-1128, dated December 4, 2008, to “AE-3 S” Arts and Entertainment District with a Specific Use Authorization for Cabinet or Carpenter Shop. The property was rezoned by Ordinance 2024-09-05-0668, dated September 5, 2024, to the current “AE-3 S” Arts and Entertainment District with a Specific Use Authorization for Floor Covering – Retail.

### **Code & Permitting Details:**

Certificate of Occupancy – DBA Name Change (COO-DBA24-37700356) May 2024

Certificate of Occupancy (COO-APP24-37601277) May 2024

**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:** “AE-4”

**Current Land Uses:** Parking Lot, Sign Shop, Chemical Plant, Industrial Equipment Supplier, Condominium Complex, Doctor, Restaurant

**Direction:** South

**Current Base Zoning:** “R-4”

**Current Land Uses:** Single Family Dwelling

**Direction:** East

**Current Base Zoning:** “C-2 CD”

**Current Land Uses:** Flooring Store, Electrical Supply Store

**Direction:** West

**Current Base Zoning:** “AE-3,” “AE-3 S”

**Current Land Uses:** Upholstery Shop, Church, Library

**Overlay District Information:**

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

The "MLOD-3" Martindale Army Airfield 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:**

The Arts and Entertainment District is a special district that is used to encourage development patterns that support existing arts and entertainment venues while promoting the creation of additional venues and supporting uses.

**Transportation**

**Thoroughfare:** East Commerce

**Existing Character:** Principle Primary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Honey Boulevard

**Existing Character:** Local Street

**Proposed Changes:** None Known

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

**Routes Served:** 24, 222.

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

**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: "AE-3 S" Arts and Entertainment District encourages development patterns that support existing arts and entertainment venues while promoting the creation of additional venues and supporting uses.

The "S" Specific Use Authorization is for Floor Covering – Retail

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:**

The subject property is not located within a Regional Center but is within a ½ mile of the FM78 Metro 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 Eastside Community Area Plan, adopted 2024, and is currently designated as “Business/Innovation Mixed-Use” 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 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. Surrounding properties are “AE-3”, “AE-4” Arts and Entertainment Districts, “R-4” Single-Family Residential District, and “C-2” Commercial District.
3. **Suitability as Presently Zoned:** The existing " AE-3 S" Arts and Entertainment District with a Specific Use Authorization for Floor Covering - Retail is an appropriate zoning for the property and surrounding area. The proposed “C-2” Commercial District is also an appropriate. The proposed “C-2” is appropriately located near a primary arterial road and is abutting existing “C-2” property. The proposed “C-2” zoning would allow for a wider range of commercial uses to be permitted on the subject property.
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 Eastside Community Area Plan may include:
  - **Land Use Recommendation #1:** Support mixed-use centers and corridors that complement neighborhoods, support transit service, provide employment opportunities, and protect cultural assets.

- **Economic Development Recommendation #2:** Support the creation and expansion of businesses (start-up, manufacturing, resident services, restaurants/entertainment).

Relevant Goals and Policies of the SA Comprehensive Plan may include:

- **CF Goal 2:** Priority growth areas attract jobs and residents.
- **JEC Goal 4:** San Antonio's economic environment fosters innovation and attracts new and innovative businesses, investment and industries.

6. **Size of Tract:** The 0.9944 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The zoning change request is to allow for a wider range of commercial uses on the subject property.

The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this request.

The subject property is located within the Fort Sam Houston 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.