



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 8, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700111 CD

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-2 MLR-1 AHOD" General Industrial 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 Bar and/or Tavern without a cover charge 3 or more days per week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 18, 2024

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

**Property Owner:** Victoria Hailey Aguirre

**Applicant:** Evelyn Aguirre

**Representative:** Mariaelena Flores-Cuellar

**Location:** 1621 Quintana Road

**Legal Description:** the south 75 feet of Lot 39, NCB 11304

**Total Acreage:** 0.4615

**Notices Mailed**

**Owners of Property within 200 feet:** 24

**Registered Neighborhood Associations within 200 feet:** Quintana Community

**Applicable Agencies:** Lackland, Planning Department

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the "I-1" Light Industry District was converted into the current "I-1" General Commercial District.

**Code & Permitting Details:** There are no code or permitting details for the subject property.

**Topography:** The property does not include any abnormal physical features such as incursion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** I-1, I-2, C-2, MF-33

**Current Land Uses:** Railroad, Civil Engineering Company, Apartment Building

**Direction:** South

**Current Base Zoning:** I-1, MF-33, C-3, C-1

**Current Land Uses:** Power Station, Single-Family Residential

**Direction:** East

**Current Base Zoning:** MF-33, R-6

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

**Direction:** West

**Current Base Zoning:** I-2

**Current Land Uses:** Railroad

**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:**

None

**Transportation**

**Thoroughfare:** Quintana Road

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known

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

**Routes Served:** 524, 251

**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 bar/tavern is 1 space per 100 sf of GSF. The maximum parking requirement for a bar/tavern is 1 parking space per 75 sf of GSF.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "I-1" 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.

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 would allow for a Bar and/or Tavern without a cover charge 3 or more days per week.

**FISCAL IMPACT:**

None

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

The subject property is not located within a of a regional center, but is within ½ a mile from the General McMullen-Babcock Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend 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 Kelly/South San P.U.E.B.L.O. Plan, adopted February 2010, and is currently designated as “Community Commercial” 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 zoned “I-1” General Industrial District, “I-2” Heavy Industrial District, “C-3” General Commercial District, “C-2” Commercial District and “R-6” Single-Family District.
- 3. Suitability as Presently Zoned:** The existing “I-1” General Industrial is not an appropriate zoning for the property and surrounding area. The proposed “C-2” Commercial District with a Conditional Use for Bar and/or Tavern without a cover charge 3 or more days per week is appropriate. There are a variety of existing uses, ranging from railroad, power station, commercial, and single-family residential within a 200-foot radius. The bar/tavern use was a nonconforming establishment for several years but closed during COVID, due to medical reasons. The owner is wanting to reopen the local watering hole to service the neighborhood. The Conditional Use zoning will also require a site plan of the proposed development, and any deviation will require further public review.
- 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 Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
  - JEC Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.

Relevant Goals and Objectives of the Kelly/ South San PUEBLO Community Plan may include:

- 2007 Plan Goal 3 Economic Development: Improve the commercial corridors and the variety of goods, services, and employment available in the planning area in order to attract and support a mix of uses including professional offices, residences and a variety of retail shops that will meet the residents' daily needs and bring vitality to the area.
- 2007 Plan Economic Development Objective 3.2: Attract and support a variety of businesses in a walkable, mixed-use environment.

6. **Size of Tract:** The 0.4615 acres is of sufficient size to accommodate the proposed residential development.
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, 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.

Applicant is requesting for the conditional use to reopen La Bamba, a family bar that was in operation between 1997 and 2021. The owner of the operated the business until 2021 and stopped operations due to medical reasons.