



City of San Antonio

Agenda Memorandum

Agenda Date: September 5, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2024-10700155

SUMMARY:

Current Zoning: "C-2 MLOD-3 MLR-2" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District and "O-2 MLOD-3 MLR-2" High-Rise Office Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District

Requested Zoning: "C-2 MLOD-3 MLR-2" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 6, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Guillermo T. Reynoso

Applicant: DGOGSANANTONIOTX03132024, LLC

Representative: Killen, Griffin, Farrimond, PLLC

Location: 4343 and 4355 East Southcross Boulevard

Legal Description: Lot 7 and the east 99.4 feet of Lot 8, NCB 10837

Total Acreage: 1.471 acres

Notices Mailed**Owners of Property within 200 feet:** 29**Registered Neighborhood Associations within 200 feet:** Pecan Valley Neighborhood Association**Applicable Agencies:** Martindale Army Air Field**Property Details**

Property History: Subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned "A" Single Family Residence District. The property was rezoned by Ordinance 43216, dated January 3, 1974, to "O-1" Office District and "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion of the property zoned "O-1" Office District converted to the current "O-2" High-Rise Office District and the portion of the property zoned "B-2" Business District converted to the current "C-2" Commercial District.

Code & Permitting Details: There is no code enforcement for the subject property.
Demolition Permit (DEM-DEM-PMT24-39200051) April 2024

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

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** "R-5"**Current Land Uses:** Single Family Dwellings**Direction:** East**Current Base Zoning:** "C-2", "O-2"**Current Land Uses:** Vacant Land, Offices**Direction:** South**Current Base Zoning:** "C-2", "R-5 PUD"**Current Land Uses:** Retail, Single Family Dwellings**Direction:** West**Current Base Zoning:** "C-2"**Current Land Uses:** Vacant Land**Overlay District Information:**

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:

None

Transportation

Thoroughfare: East Southcross Boulevard

Existing Character: Minor Secondary Arterial A

Proposed Changes: None known

Thoroughfare: Gittinger

Existing Character: Local

Proposed Changes: None known

Thoroughfare: Southeast Drive

Existing Character: Local

Proposed Changes: None known

Public Transit: There is no public transit within walking distance of the subject property.

Routes Served: None

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 minimum parking requirement for Variety Store – retail is 1 parking space per 300 sf GFA.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "O-2" High Rise Office Districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as "permitted" in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

"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.

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 but is within ½ a mile from the Looper Premium Metro 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 Southeast Community Area Plan, adopted December 15, 2022, 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. There is existing “C-2” Commercial District zoning in the area.
3. **Suitability as Presently Zoned:** The existing “O-2” High-Rise Office District is not appropriate for the property and the surrounding area. However, the existing and proposed “C-2” Commercial District is appropriate. While the portion of the property currently zoned “O-2” is not within the scope of the land use of the Southeast Community Area Plan, the proposed zoning is. Additionally, the subject property meets locational requirements by being located within an established commercial corridor and along East Southcross Boulevard, a secondary arterial. The request to rezone is to accommodate the future development of a Dollar General.
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 any public policy objectives. 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.
 - 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 Policies of the Southeast Community Area Plan may include:

- Goal 1: Land Use - Implement land use policies that promote compatible adjacency, mixed-use opportunities, and commercial centers that provide a variety of uses.

- Goal 2: Community Engagement - Strengthen community relationships by creating a cohesive and welcoming atmosphere that encourages engagement and interaction.
 - Goal 5: Local Economic Development - Attract new and retain existing businesses that provide a variety of shopping, healthy food and quality dining options, entertainment, and services that support all residents and expand
6. **Size of Tract:** The 1.471-acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** 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 applicant is rezoning to develop a Dollar General.