



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 19, 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-2024-10700168 CD

**SUMMARY:**

**Current Zoning:** "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, and "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family 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 on Lot 28, Block 6, NCB 8129 and "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Noncommercial Parking Lot on the west 91.4 feet of Lots 11, 12, 15, 16, 17, 18, 19, and 20, Block 6, NCB 8129

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 19, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Luis E. Plascencia Gonzalez

**Applicant:** Luis E. Plascencia Gonzalez

**Representative:** Mariaelena Flores-Cuellar

**Location:** 829 South General McMullen Drive and 836, 830, and 822 South San Augustine Avenue.

**Legal Description:** Lot 28 and the west 91.4 feet of Lots 11, 12, 15, 16, 17, 18, 19, and 20, Block 6, NCB 8129

**Total Acreage:** 0.6279 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 48

**Registered Neighborhood Associations within 200 feet:** Las Palmas Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base, Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 1258, dated August 2, 1944, and zoned “JJ” Commercial District. The western lots were rezoned by Ordinance 72510, dated October 18, 1990, and zoned “R-7” Small Lot Home District. The eastern lot was rezoned by Ordinance 72510, dated October 18, 1990, and zoned “B-3R” Restrictive Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned “R-7” Small Lot Home District converted to the current “R-4” Residential Single-Family District and property zoned “B-3R” Restrictive Business District converted to the current “C-3R” General Commercial Restrictive Alcoholic Sales District.

**Code & Permitting History:**

There is no code enforcement or 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:** R-4 CD, R-4, C-3R

**Current Land Uses:** Parking Lot, Beauty Shops, Landscaping Business

**Direction:** South

**Current Base Zoning:** R-4, C-3R, C-2

**Current Land Uses:** Auto Upholsterer, Restaurants

**Direction:** East

**Current Base Zoning:** C-2, C-3R

**Current Land Uses:** Commercial Strip, Bank

**Direction:** West

**Current Base Zoning:** R-4

**Current Land Uses:** Residential Dwellings

**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:** South General McMullen Drive

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None Known

**Thoroughfare:** South San Augustine Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 524, 67, 68, 268, 275, 522

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

**Parking Information:** There is no minimum parking requirement for Parking Lot-Noncommercial. The minimum parking requirement for Food- Restaurant or Cafeteria is 1 space per 100 square feet of Gross Floor Area.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools. C-3R districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

“C-3R” General Commercial Restrictive Alcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

Proposed Zoning: C-2 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. Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

The “CD” Conditional Use would allow for a Noncommercial Parking Lot.

“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 ½ a mile of the General McMullen-Babcock 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 West/Southwest Sector Plan, adopted in 2011, and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “R-4” and “C-2” base zoning districts are 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 “C-2” Commercial District and “C-3R” General Commercial Restrictive Alcoholic Sales District. Surrounding properties are “C-2” Commercial District and “C-3R” General Commercial Restrictive Alcoholic Sales District.
3. **Suitability as Presently Zoned:** The existing “R-4” Residential Single-Family District and “C-3R” General Commercial Restrictive Alcoholic Sales District are appropriate zonings for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family District with a Conditional Use for Noncommercial Parking Lot and “C-2” Commercial District are also appropriate. The addition of the Conditional Use for a Noncommercial Parking Lot would

bring the current lots, being used for parking, into conformance with zoning code and still retain the residential base zone. Additionally, the proposed “C-2” would be a downzone from the current “C-3R” property, still permitting the currently operating food service establishment. The addition of the Conditional Use for a Noncommercial Parking Lot would bring the current lots, being used for parking, into conformance with zoning code and still retain the residential base zone. Additionally, the proposed “C-2” would be a downzone from the current “C-3R” property, still permitting the currently operating food service establishment.

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 public policy. Relevant Goals and Policies of the Comprehensive Master Plan may include: - GCF Goal 2: Priority growth areas attract jobs and residents. - GCF P12: Develop programs to encourage and incentivize adaptive reuse. - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development. Relevant Goals and Policies of the West/Southwest Sector Plan may include: - Goal ED-3: The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods. - Goal ED-2: -2 Existing and planned future corridors and accessible, pedestrian commercial nodes contain strong, vibrant business activities with a mix of uses and employment opportunities. - Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.
  - GCF Goal 2: Priority growth areas attract jobs and residents.
  - GCF P12: Develop programs to encourage and incentivize adaptive reuse.
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Relevant Goals and Policies of the West/Southwest Sector Plan may include:

  - Goal ED-3: The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods.
  - Goal ED-2: -2 Existing and planned future corridors and accessible, pedestrian commercial nodes contain strong, vibrant business activities with a mix of uses and employment opportunities.
  - Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.
6. **Size of Tract:** The subject property is 0.6279 acres, which can reasonably 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, JBSA 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.

The applicant is rezoning to develop a Noncommercial Parking Lot.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.