



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 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 2

**SUBJECT:**

ZONING CASE Z-2024-10700263

**SUMMARY:**

**Current Zoning:** "I-1 EP-1 MLOD-3 MLR-2" General Industrial Facility Parking/Traffic Control Overlay Martindale Military Lighting Overlay Military Lighting Region 2 District

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

**BACKGROUND INFORMATION:**

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

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

**Property Owner:** Emerald Alyce and Ronnie Lott

**Applicant:** Emerald Alyce and Ronnie Lott

**Representative:** Emerald Alyce and Ronnie Lott

**Location:** 2922 East Houston Street

**Legal Description:** Lot 10 and Lot 11, NCB 6910

**Total Acreage:** 0.1435 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** Jefferson Heights, Harvard Place Eastlawn

**Applicable Agencies:** Martindale Army Air Field, Fort Sam Houston

**Property Details**

**Property History:** The property was of the original 36 square miles of City of San Antonio by, and zoned "JJ" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, converted into the current "I-1" General Industrial District.

**Code & Permitting Details:**

ZONING-NCU-APP-2022-11200028, Nonconforming Use/Development Preservation Rights Application, Denied

**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:** "I-1", "RM-6", "R-4", "C-1", "C-2"

**Current Land Uses:** Digital Printer, Food Service Establishment, Vacant land, Residential Single-Family

**Direction:** South

**Current Base Zoning:** "R-4"

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

**Direction:** East

**Current Base Zoning:** "I-1", "R-4"

**Current Land Uses:** Commercial Buildings

**Direction:** West

**Current Base Zoning:** "I-1", "R-4"

**Current Land Uses:** Commercial Building, Residential Single-Family

**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.

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:** East Houston Street

**Existing Character:** Secondary Arterial Type

**Proposed Changes:** None known.

**Thoroughfare:** North Rosary Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Onslow Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Canton

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There is public transit 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 minimum parking requirement for Day Care Center – child and/or adult care is 1 per 375 sf GFA and the maximum parking requirement is 1.5 per 375 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “I-1” The 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” 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 LRV 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 Area Community Plan, adopted in 2024, and is currently designated as Urban 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. Surrounding properties are zoned "R-4" Residential Single-Family, "C-1" Light Commercial, and "I-1" General Industrial.
3. **Suitability as Presently Zoned:** The existing "I-1" General Industrial District is not an appropriate zoning for the property and surrounding area. The proposed "C-2" Commercial District constitutes a downzoning from an industrial district. Properties directly east of the subject property are developed commercial structures. The proposed "C-2" Commercial District is a better alternative for a property located on East Houston Street, a Secondary Arterial Street.
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 Comprehensive Plan may include:
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
  - H P30: Ensure infill development is compatible with existing 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 Eastside Area Community Plan may include:

- Goal 7: Promote quality infill development and redevelopment within neighborhoods and commercial areas that are compatible with existing homes and provides more housing options for existing and new residents.
6. **Size of Tract:** The 0.1435-acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The zoning change request is to allow for a childcare facility.

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.