



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 7, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2024-10700298

(Associated Plan Amendment Case PA-2024-11600089)

**SUMMARY:**

**Current Zoning:** “MF-25 MLOD-2 MLR-2 AHOD” Low Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay, “C-2 MLOD-2 MLR-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, and “R-5 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** “C-3NA CD S MLOD-2 MLR-2 AHOD” General Commercial Non-Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Oversized Vehicle Sales, Service and Storage and a Specific Use Authorization for Outside Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 7, 2025. This case was continued from December 17, 2024.

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

**Property Owner:** Sonrisa Management, LLC

**Applicant:** Matthew Pratt

**Representative:** Killen, Griffin, & Farrimond, PLLC

**Location:** 13527 Southwest Loop 410

**Legal Description:** 39.228 acres out of NCB 18087

**Total Acreage:** 39.228

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** N/A

**City-Wide Community Organizations:** T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, and Lifeline Overeaters Anonymous Community Organizations

**Applicable Agencies:** Lackland Air Force Base, Texas Department of Transportation

**Property Details**

**Property History:** The northern portion of the subject property was annexed into the City of San Antonio by Ordinance 61626, dated December 29, 1985, and zoned Temporary “R-1” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary “R-1” Single-Family Residence District converted to the “R-6” Residential Single-Family District. The remainder of the subject property was annexed into the City of San Antonio by Ordinance 96558, dated January 4, 2003, and zoned “UD” Urban Development District. The northern portion of the subject property was also rezoned by Ordinance 96558, dated January 4, 2003, to “UD” Urban Development District. The property was rezoned by Ordinance 2007-12-06-1278, dated December 6, 2007, to “FBZD” Form Based Zoning District. The property was rezoned by Ordinance 2018-08-02-0586, dated August 2, 2018, to “MF-25” Low Density Multi-Family District and “C-2” Commercial 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:** UZROW

**Current Land Uses:** Interstate Loop 410

**Direction:** South

**Current Base Zoning:** R-5

**Current Land Uses:** Vacant, Residential Dwellings

**Direction:** East

**Current Base Zoning:** C-2, UD, FBZ, MF-40

**Current Land Uses:** Vacant, Residential Dwellings

**Direction:** West

**Current Base Zoning:** R-20, C-2 CD, I-1

**Current Land Uses:** Residential Dwellings, Warehouse

**Overlay District Information:**

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.

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.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Southwest Loop 410

**Existing Character:** Interstate Highway

**Proposed Changes:** None Known.

**Thoroughfare:** Interstate 410 Access Road

**Existing Character:** Access Road

**Proposed Changes:** None known.

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

**Routes Served:** N/A

**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 Storage - Outside is 1 space per 600 sf of Gross Floor Area. The minimum parking requirement for Manufactured Home/Oversized Vehicle Sales, Service or Storage is 1 space per 500 sf of Gross Floor Area.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-2" 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.

“MF-25” Low Density Multi-Family District allows for any uses permitted plus in MF-18 plus college fraternity dwelling, off-campus school dormitory/housing, but with a maximum density of 25 units per acre.

“R-5” Residential Single-Family District allows for single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

Proposed Zoning: “C-3NA CD S” General Commercial Non-Alcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

The “CD” Conditional Use would allow for Oversized Vehicle Sales, Service and Storage

The “S” Specific Use Authorization would allow for Outside Storage.

**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 Zarzamora Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of “C-2 CD” Commercial District with a Conditional Use for Oversized Vehicle Sales, Service and Storage or “C-2 CD” Commercial District with a Conditional Use for Storage – Outside (Under Roof and Screened).

**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 Heritage South Sector Plan, adopted September 16, 2010, and is currently designated as “General Urban Tier” and “Suburban Tier” in the future land use component of the plan. The requested “C-3NA” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Center”. Staff recommends Denial. Planning Commission recommends Approval.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. Surrounding properties are “R-20” Residential Single-Family District, “C-2” Commercial District, and “R-5” Residential Single-Family District.
3. **Suitability as Presently Zoned:** The existing “MF-25” Low Density Multi-Family District, “R-5” Residential Single-Family District, and “C-2” Commercial District are appropriate zonings for the property and surrounding area. The proposed “C-3NA CD S” General

Commercial Non-Alcoholic Sales District with a Conditional Use for Oversized Vehicle Sales, Service and Storage Specific Use Authorization for Outside Storage is not. Surrounding properties are more characteristic of low to medium intensity in both zoning and use. While there is an industrial zoning to the west of the subject property, it is buffered by the “C-2” Commercial District surrounding it. The proposed zoning would allow for a higher intensity of commercial uses which could cause commercial encroachment into the existing neighborhoods. Thus, staff recommends an Alternate Recommendation of “C-2 CD” Commercial District with a Conditional Use for Oversized Vehicle Sales, Service and Storage or “C-2 CD” Commercial District with a Conditional Use for Storage – Outside (Under Roof and Screened). This would keep a lower “C-2” base zoning and align with existing “General Urban Tier” and “Suburban Tier” land use, permitting only moderate commercial uses characteristic of the area.

4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with public policy. Relevant Goals and Policies of the Comprehensive Master Plan may include:
  - 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 Heritage South Sector Plan may include:

- Goal LU-1 Land uses that are compatible with neighboring properties that preserve natural and cultural resources, neighborhood character, and economic viability
  - Goal LU-2 Design guidelines for non-residential uses to encourage compatibility of adjacent properties
    - o LU-2.2 Ensure buffer zones and transitional areas between industrial and other uses
6. **Size of Tract:** The subject property is 39.228 acres, which can reasonably accommodate the proposed commercial 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 purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is rezoning to develop Outside Storage.

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 Oversized Vehicle Sales, Service and Storage.

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