



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 21, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**

ZONING CASE Z-2024-10700206 CD

**SUMMARY:**

**Current Zoning:** "C-3NA MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Stone Curing, Monument - Manufacturing

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 15, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Victor Aleman and Leticia Aleman

**Applicant:** Stephen G. Cook Engineering

**Representative:** Stephen G. Cook Engineering

**Location:** 5559 Historic Old Highway 90

**Legal Description:** 0.028 acres out of NCB 13950

**Total Acreage:** 0.028 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 17

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

**Applicable Agencies:** Lackland AFB, Planning Department

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 33954, dated January 19, 1966, and zoned "R-A" Residence Agriculture District. The property was rezoned by Ordinance 77425, dated February 25, 1993, to "B-3 NA" Business Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3 NA" Business Non-Alcoholic Sales District converted to the current "C-3 NA" General Commercial Non-Alcoholic Sales District.

**Code & Permitting Details:** There is no code enforcement of 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-6," "R-4"

**Current Land Uses:** Single-Family Dwellings, Place of Worship

**Direction:** South

**Current Base Zoning:** "C-3 NA"

**Current Land Uses:** Convenience Store

**Direction:** East

**Current Base Zoning:** "R-6," "C-2 NA," "C-3 NA"

**Current Land Uses:** Car Dealer, Mechanic, Motel

**Direction:** West

**Current Base Zoning:** "R-4," "R-6"

**Current Land Uses:** Inn, Single-Family 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:**

N/A

**Transportation**

**Thoroughfare:** Historic Old Highway 90

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** Streets, Bridges, and Sidewalk Improvements

**Thoroughfare:** South Callaghan Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 76, 276.

**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 Stone Curing- Monument, Manufacturing is 1 vehicle space per 1,500 sf GFA and the maximum parking requirement for Auto Sales is 1 vehicle space per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

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

Proposed Zoning: “C-2 CD” 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.

C-2NA districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

The Conditional use is to allow for Stone Curing, Monument – Manufacturing.

**FISCAL IMPACT:**

None.

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

Subject property is not located within a Regional Center and is within ½ a mile from the Commerce Houston 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 West/Southwest Sector Plan, adopted in April 2011, and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “C-2NA CD” 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 “C-2 NA” Commercial Non-Alcoholic Sales and “C-3 NA” General Commercial Non-Alcoholic Sales District.
3. **Suitability as Presently Zoned:** The existing “C-3 NA” General Commercial Non-Alcoholic Sales District is an appropriate zoning for the property and surrounding area. The proposed “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for Stone Curing, Monument - Manufacturing is also an appropriate zoning for the property and surrounding area. The proposed “C-2NA CD” zoning would be a less intense base zoning than the current property’s zoning of “C-3,” thus still permitting commercial uses but limiting the intensity and the sales of alcohol. The small section that is being rezoned sits within the property boundaries, separated from any residential uses to the north, and the conditional use requires a site plan which cannot be expanded without further public review.
4. **Health, Safety and Welfare:** Staff has found no 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 objectives of the SA Tomorrow Comprehensive Plan. 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.

- **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.

The request does not appear to conflict with any public policy objectives of the West/Southwest Sector Plan. Relevant Goals and Policies of the Plan may include:

- **Goal ED-1** The West/Southwest Sector is an economically sustainable community in which residents have a variety of employment opportunities.
- **Goal ED-3** The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods.
- **ED-3.1** Ensure the development of new business locations and employment centers are compatible with the West/Southwest Sector Land Use Plan.

6. **Size of Tract:** The 0.028-acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** 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 for Stone Curing, Monument – Manufacturing.

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

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.