



City of San Antonio

Agenda Memorandum

Agenda Date: December 3, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONING CASE Z-2024-10700220

(Associated Plan Amendment Case PA-2024-11600085)

SUMMARY:

Current Zoning: "I-1 WQ MLOD-2 MLR-2 AHOD" General Industrial Water Quality Protection Area Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "MF-33 WQ MLOD-2 MLR-2 AHOD" Multi-Family Water Quality Protection Area Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "C-3 WQ MLOD-2 MLR-2 AHOD" General Commercial Water Quality Protection Area Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 3, 2024

Case Manager: Alexa Retana, Zoning Planner

Property Owner: Grandfather's Farm and Ranch Store, LLC

Applicant: Christina Alaniz

Representative: Christina Alaniz

Location: 1025 Nogalitos Street and 201 Powell Street

Legal Description: Lot 7, Block 1, NCB 6244 and approximately 1.5334 acres out of NCB 3839

Total Acreage: 1.6337 acres

Notices Mailed

Owners of Property within 200 feet: 33

Registered Neighborhood Associations within 200 feet: Collins Garden Neighborhood Association

Applicable Agencies: Parks and Recreation, Lackland Air Force Base, Planning Department, Public Works Department

Property Details

Property History: The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned “J” Commercial District and “C” Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion of property zoned “J” Commercial District converted to the current “I-1” General Industrial District and the portion zoned “C” Apartment District converted to the current “MF-33” Multi-Family District.

Code & Permitting History:

INV-ZCD-24-3140002155 – Zoning UDC Investigation – August 2024

COM-RML-PMT24-40000348 – Commercial Remodel Permit – May 2024

MEP-TOP-PMT24-33611741 – Electrical TOP S Permit – April 2024

INV-COI-24-3120003868 – Certificate of Occupancy – July 2024

ZONING-NCU-APP-2018-900027 – Nonconforming Use – November 2018

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: C-2NA, UZROW

Current Land Uses: Vacant, San Pedro Creek

Direction: South

Current Base Zoning: C-2, I-1, MF-33

Current Land Uses: Residential Dwellings, Television Repair Service, Food Service Establishment, Beauty Salon

Direction: East

Current Base Zoning: C-2 S, R-4

Current Land Uses: Hotel, Residential Dwellings

Direction: West

Current Base Zoning: MF-33

Current Land Uses: Residential Dwellings

Overlay District Information:

The "WQ" Water Quality Protection Area Overlay District is designed to ensure adequate treatment of storm water runoff that may potentially produce toxic, corrosive, polluted, poisonous, radioactive, unpalatable, or otherwise dangerous substances injurious to the public health or which could otherwise adversely affect the water quality or supply, and thereby minimizing the risk of potential occurrences wherein such substances could enter the water of the West Side Creeks.

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: Nogalitos Street

Existing Character: Secondary Arterial Type B

Proposed Changes: None Known

Thoroughfare: Powell Street

Existing Character: Local

Proposed Changes: None known.

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

Routes Served: 51, 251

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 Alcohol- bar, lounge, tavern, nightclub, or dance hall is 1 space per 100 sf of Gross Square Footage of entire building accessory uses such as offices, kitchens, restrooms, storage areas, mechanical and dressing rooms.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "I-1" 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.

"MF-33" Multi-Family District permits any uses permitted in MF-33 with a maximum density of 33 units per acre.

Proposed Zoning: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within ½ a mile of a 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 Lone Star Community Plan adopted in March 2013 and is currently designated as "Low Density Mixed Use" in the future land use component of the plan. The requested "C-3" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Regional Commercial". Staff and Planning Commission recommend Approval.
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 "I-1" General Industrial District.
3. **Suitability as Presently Zoned:** The existing "I-1" General Industrial District is an appropriate zoning for the property and surrounding area. The proposed "C-3" General Commercial District is also appropriate. The subject property is located within a mix of commercial and residential properties and has operated by legal Nonconforming Use until 2020. Additionally, the commercial zoning is more appropriate than the current industrial

zoning given the proximity of residential uses. Traffic generated by commercial activities can be supported by Nogalitos Street, a secondary arterial.

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.

The request does not appear to conflict with public policy. Relevant Goals and Policies of the Lone Star Community Plan may include:

- LU-1.1: Eliminate existing zoning that allows industrial uses that do not meet the performance criteria in Table LU-1.1.
 - LU-3: Attract/ retain office, retail, and service uses through zoning and development incentives.
 - Vision: The vision also recognizes that the industrial heritage of the area can be preserved and even celebrated by adapting and reusing former industrial buildings and structures to meet the needs of a whole new set of users.
6. **Size of Tract:** The subject property is 1.6337 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.