



City of San Antonio

Agenda Memorandum

Agenda Date: August 15, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:

ZONING CASE Z-2024-10700137

(Associated Plan Amendment Case PA-2024-11600046)

SUMMARY:

Current Zoning: "RM-4 MLOD-2 MLR-1 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: July 16, 2024

Case Manager: Alexa Retana, Zoning Planner

Property Owner: The Salvation Army

Applicant: The Salvation Army

Representative: Brown & McDonald, PLLC

Location: 3802 Southwest Military Drive

Legal Description: 7.734 acres out of NCB 11257

Total Acreage: 7.734 acres

Notices Mailed**Owners of Property within 200 feet:** 47**Registered Neighborhood Associations within 200 feet:** Quintana Community Neighborhood Association**Applicable Agencies:** Lackland Air Force Base, Planning Department, Texas Department of Transportation**Property Details**

Property History: The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and was originally zoned “B” Residence District. The northern portion of the property was rezoned by Ordinance 28086, dated November 19, 1959, to “F” Local Retail District. The property was split zoned by Ordinance 45852, dated October 16, 1975, where the southern portion of the property was rezoned to “R-4” Mobile Home District and the northeastern portion of the property was rezoned to “B-3” Business District. The property was split zoned by Ordinance 93308, dated January 26, 2001, where the southern portion of the property was rezoned to “R-2A” Three and Four-Family Residence District and the northern portion of the property was rezoned to “B-2” Business District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the portion zoned “R-2A” Three and Four-Family Residence District converted to the current “RM-4” Residential Mixed District and the portion zoned “B-2” Business District converted to the current “C-2” Commercial District.

Code & Permitting Details:

Certificate of Occupancy- Commercial (Active)- 1669422-1548465 – July 2010

Topography: The property does not include any abnormal physical features such as slope or incursion in a flood plain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** C-2**Current Land Uses:** Car Dealer, Restaurants, Residential Dwellings**Direction:** East**Current Base Zoning:** C-2, RM-4**Current Land Uses:** Auto Shop, Restaurants, Convenience Store**Direction:** South**Current Base Zoning:** RM-4, C-1**Current Land Uses:** Residential Dwellings, Auto Shop, Salon**Direction:** West**Current Base Zoning:** C-2, RM-4, I-1**Current Land Uses:** Motel, Salon, Auto Shops, Restaurants

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 Military

Existing Character: Principal Primary Arterial Type A

Proposed Changes: None known

Thoroughfare: Briggs Avenue

Existing Character: Local

Proposed Changes: None known

Public Transit: There are VIA bus routes within walking distance of the subject property.

Routes Served: 102, 524, 515, 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 "Secondhand Merchandise- retail no outside storage or display of inventory" is 1 per 300 sf GFA.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "RM-4" Residential Mixed District permits single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

"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.

Proposed Zoning: “C-2NA” Commercial Nonalcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within an Area Regional Center but is within ½ a mile from the Looper Premium Transit Corridor and the General McMullen-Babcock 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 “Rural Estate Tier” in the future land use component of the plan. The requested “C-2NA” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Suburban Tier”. 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 zoned “C-2” Commercial District, “RM-4” Residential Mixed, and “I-1” General Industrial.
3. **Suitability as Presently Zoned:** The current “RM-4” Residential Mixed District and “C-2” Commercial District are appropriate zonings for the property and surrounding area. The proposed “C-2NA” Commercial Nonalcoholic Sales District is also appropriate. The property is situated within an established commercial corridor, making the commercial use and zoning consistent with the surrounding area. Additionally, the property fronts Southwest Military Drive, a Primary Arterial, further supporting the commercial intensity.
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 any public policy objective. Relevant Goals and Objectives from the Comprehensive Plan may include:
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - 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 LU-1 Land use pattern emphasizes compatibility and appropriateness between uses and protects neighborhoods and businesses from incompatible land uses.
- Goal ED-3 The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods.
- ED-1.1 Locate business offices near existing residential areas within the Sector.
- ED-1.3 Stimulate and support increased activity of existing businesses.

6. **Size of Tract:** The subject property is 7.734 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.