



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 6, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2025-10700090

(Associated Plan Amendment Case PA-2025-11600030)

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 6, 2025

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

**Property Owner:** David Elmer Garcia and David Elmer Garcia Ortiz

**Applicant:** Jose Luis Noriega Jr.

**Representative:** Jose Luis Noriega Jr.

**Location:** 402 and 406 South Zarzamora Street

**Legal Description:** the south 39.2 feet of the west 47.36 feet of Lot 11 and the south 60 feet and north 94.6 feet of Lot 12, Block 8, NCB 2361

**Total Acreage:** 0.2249 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Historic Westside Residents Neighborhood Association. Prospect Hill Neighborhood Association

**City-Wide Community Organizations:** Women in Film & Television San Antonio, San Antonio African American Community Archive and Museum

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

### **Property Details**

**Property History:** The subject property was within the original 36 square miles of the City of San Antonio and zoned “G” Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned “G” Local Retail District converted to the current “C-2” Commercial District.

### **Code & Permitting Details:**

**406 South Zaramora:**

**INV-PBP-25-3100001363** – PMT Building Without a Permit – Pending Resolution – March 2025

**402 South Zarzamora:**

**ZONING-NCU-REG-2024-11300117** – Nonconforming Use/Development Preservation Rights Registration Renewal – About to Expire – August 2024

**ZONING-NCU-REG-2024-11200137** – Nonconforming Use/Development Preservation Rights Registration Renewal – Approved – July 2023

**ZONING-NCU-REG-2022-11400018** – Nonconforming Use/Development Preservation Rights Registration Renewal – Approved – July 2022

**ZONING-NCU-REG-2021-11300068** – Nonconforming Use/Development Preservation Rights Registration Renewal – Revoked – August 2021

**ZONING-NCU-REG-2021-11200081** – Nonconforming Use/Development Preservation Rights Registration – Approved – May 2021

**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-4,” “R-6,” “C-1,” “C-2”

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

**Direction:** South

**Current Base Zoning:** “R-4,” “R-6,” “C-1,” “C-2”

**Current Land Uses:** Fast Food Restaurant, Single-Family Dwellings

**Direction:** East

**Current Base Zoning:** “C-2,” “R-4”

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

**Direction:** West

**Current Base Zoning:** “NC,” “R-6”

**Current Land Uses:** Insurance Enrollment, 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:** South Zarzamora Street

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** None known.

**Thoroughfare:** Saunders Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 75, 76, 103, 275, 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 auto sales is 1 space per 500 sf GFA of sales and service building and the maximum parking requirement is 1 space per 375 sf GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

Current 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.

**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 CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:**

Subject property is not located within a Regional Center and is within ½ a mile from the Zarzamora and Commerce – Houston Premium Transit Corridors.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of “C-2P CD” Commercial Pedestrian District with a Conditional Use for Motor Vehicle Sales.

If staff’s Alternate Recommendation is approved, the applicant will need to provide a site plan.

**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 Guadalupe Westside Community Plan, adopted May 2007, 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 “Light Industrial.” Staff and Planning Commission recommend Denial.
- 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 inconsistent with the established development pattern of the surrounding area. Surrounding properties are “R-4” Single-Family Residential District, “R-6” Single-Family Residential District, “NC” Neighborhood Commercial District, “C-1” Light Commercial District, and “C-2” Commercial District.

3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-3” General Commercial District is not appropriate. The request would allow more intense uses abutting existing residential. The requested “C-3” base zoning district would be uncharacteristic of the existing commercial corridor that currently permits commercial uses up to a “C-2” base zoning. A request for “C-2P CD” with a Conditional Use for Motor Vehicle Sales would preserve the “C-2” base zoning district and permit the existing use of Motor Vehicle Sales, with a site plan that restricts buildings and impervious coverage which cannot be changed without further public review.
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 any public policy. Relevant Goals and Policies of the Guadalupe Westside Community Plan may include:
  - **Objective 19.4:** Promote Compatibility Between Business and Residents
  - **Objective 20.1.1.3:** Reduce occurrences of commercial encroachment into residential areas.
  - **Objective 10.3: Neighborhood Beautification-** Protect and promote the unique character of the neighborhoods and commercial corridors while improving their physical appearance.
6. **Size of Tract:** The 0.2249-acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The change of zoning request is to allow for motor vehicle sales on the subject property.

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.