



City of San Antonio

Agenda Memorandum

Agenda Date: June 6, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2024-10700077

SUMMARY:

Current Zoning: "I-1 MLOD-3 MLR-2" General Industrial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District and "C-1 MLOD-3 MLR-2" Light Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District

Requested Zoning: "C-2 MLOD-3 MLR-2" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 7, 2024

Case Manager: Alexa Retana, Zoning Planner

Property Owner: Yong Choi

Applicant: Yong Choi

Representative: Yong Choi

Location: 1507 Aurelia Street and 1703 Rigsby Avenue

Legal Description: The east 100 feet of Lots 23-26, NCB 10331

Total Acreage: 0.461

Notices Mailed**Owners of Property within 200 feet:** 26**Registered Neighborhood Associations within 200 feet:** NA**Applicable Agencies:** Martindale Army Air Field**Property Details**

Property History: The subject property was annexed into the City of San Antonio by Ordinance 15765, dated October 17, 1951, and the southern portion of the property was zoned "J" Commercial District and the northernmost portion of the property was zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion zoned "J" Commercial District converted to the current "I-1" General Industrial District and the portion zoned "B" Residence District converted to "R-4" Residential Single-Family District. The northernmost portion of the property was then rezoned by Ordinance 99340, dated June 10, 2004, to the current "C-1" Light Commercial District.

Code & Permitting Details:

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 incursion in a floodplain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** C-2**Current Land Uses:** Dollar Store**Direction:** East**Current Base Zoning:** C-2**Current Land Uses:** Vacant**Direction:** South**Current Base Zoning:** R-6, I-1, NC**Current Land Uses:** Single-Family, Food Service Establishment**Direction:** West**Current Base Zoning:** I-1, R-4, MF-33**Current Land Uses:** Residential, Food Service Establishment**Overlay District Information:**

The "MLOD-3" Martindale Army Airfield 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: Rigsby Avenue

Existing Character: Minor

Proposed Changes: None known

Thoroughfare: Aurelia Street

Existing Character: Local

Proposed Changes: None known

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

Routes Served: 30, 230, 28

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for Food – restaurant or cafeteria is 1 parking space per 100 sq/ft of gross floor area. The maximum parking requirement is 1 parking space per 40 sq/ft of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-1” Light Commercial District accommodates neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

“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.

Proposed 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of a 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 Southeast Community Area Plan, adopted December 15, 2022, and is currently designated as “Employment/Flex Mixed Use” in the future land use component of the plan. The requested “C-2” 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 zoning districts include “C-2” Commercial District, “NC” Neighborhood Commercial District, and “I-1” General Industrial District,
3. **Suitability as Presently Zoned:** The existing “C-1” Light Commercial District is an appropriate district, while “I-1” General Industrial District is not for the property and surrounding area. The proposed “C-2” Commercial District is more suitable for the surrounding area. There are established single-family residences within proximity that would be negatively impacted by potential industrial development. The request for “C-2” General Commercial District permits customary uses that better service the residents in adjacent dwellings.
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. Relevant Goals and Policies of the Southeast Community Area Plan may include:
 - Goal 1: Land Use
 - o Implement land use policies that promote compatible adjacency, mixed-use opportunities, and commercial centers that provide a variety of uses.
 - Land Use Recommendation #1: Maintain residential and nonresidential densities that are consistent with historic patterns, to strengthen and preserve established neighborhoods
 - Goal 5: Local Economic Development
 - o Attract new and retain existing businesses that provide a variety of shopping, healthy food and quality dining options, entertainment, and services that support all residents and expand economic and employment opportunities for the local workforce.
 - Economic Development Recommendation #1: Support the creation and growth of commercial districts.

6. **Size of Tract:** The 0.461 acre site is of sufficient size to accommodate the proposed development.
7. **Other Factors:** The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant is rezoning to “C-2” Commercial District for operation of a restaurant.