



# City of San Antonio

## Agenda Memorandum

**File Number:**  
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**Agenda Item Number:** {{item.number}}

**Agenda Date:** December 19, 2023

**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-2023-10700294 CD (Associated Plan Amendment PA-2023-11600075)

**SUMMARY:**

**Current Zoning:** “C-2 MLOD-2 MLR-1 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** “C-2 CD MLOD-2 MLR-1 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor/Studio

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 19, 2023

**Case Manager:** Kellye Sanders, Planning Coordinator

**Property Owner:** Maria Ballesteros

**Applicant:** Pedro Fuentes

**Representative:** Pedro Fuentes

**Location:** 2705 West Southcross Boulevard

**Legal Description:** Lot 27 and Lot 28, Block 12, NCB 8908

**Total Acreage:** 0.1607

**Notices Mailed**

**Owners of Property within 200 feet:** 24

**Registered Neighborhood Associations within 200 feet:** Quintana Community

**Applicable Agencies:** Lackland Air Force Base, Planning Department

**Property Details**

**Property History:** ?????

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:** RM-4

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

**Direction:** South

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

**Current Land Uses:** Office

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Vacant Building, Tow Company and Auto Repair

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Food Service Establishment, Car Wash

**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:** West Southcross Boulevard

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Crittendon Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 251, 514, 524

**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 Service – Tattoo Parlor/Studio is 1 per 300 sf GFA, and the maximum is 1 per 200 sf GFA.

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**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: C-2 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-2 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.

**FISCAL IMPACT:**

None

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

The property is not located within any Regional Center but is within a half mile of the Southwest 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 Kelly/South San PUEBLO Community Plan, adopted February 2010, and is currently designated as “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
3. **Suitability as Presently Zoned:** “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for Tattoo Parlor is also an appropriate zoning. The change of zoning will keep the base zoning district of commercial but permit an additional use which is normally permitted in higher intense zoning districts. Staff finds the Tattoo Parlor use complementary to the existing commercial uses, including car wash, restaurants, towing company and auto service, which all sit along the West Southcross corridor. The "CD" Conditional Use would hold the development to a site plan, and any deviation could warrant additional Council consideration.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** Relevant Goals and Policies of the Comprehensive Plan may include: GCF Goal 1: Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors. 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. Relevant Goals and Objectives of the Kelly/South San PUEBLO Community Plan may include: 2007 Plan Goal 3 Economic Development: Improve the commercial corridors and the variety of goods, services, and employment available in the planning area in order to attract and support a mix of uses including professional offices, residences and a variety of retail shops that will meet the residents' daily needs and bring vitality to the area. 2007 Plan Economic Development Objective 3.2: Attract and support a variety of businesses in a walkable, mixed-use environment. 2010 Land Use Update: Increased Mixed Use along Major and Minor Corridors – increased Mixed Use along portions of major corridors such as New Laredo Highway, Somerset, Zarzamora, and Southcross in order to allow for more compatible uses.

6. **Size of Tract:** The 0.1607 acre site is of sufficient size to 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. 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 a Tattoo Parlor. The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.