



City of San Antonio

Agenda Memorandum

Agenda Date: August 3, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2023-10700112

SUMMARY:

Current Zoning: "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: June 6, 2023

Case Manager: Elizabeth Steward, Zoning Planner

Property Owner: TCP Las Palmas Partners, Ltd.

Applicant: Mambo Management

Representative: Killen, Griffin, and Farrimond, PLLC

Location: generally located at the 800 block of Castroville Road

Legal Description: 0.388 acres out of NCB 11250

Total Acreage: 0.388

Notices Mailed**Owners of Property within 200 feet:** 3**Registered Neighborhood Associations within 200 feet:** Las Palmas Neighborhood Association, El Charro Neighborhood Association**Applicable Agencies:** Lackland Air Force Base, Planning Department**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 1258, dated August 2, 1944 and zoned "F" Local Retail District. The property was rezoned by Ordinance 73389, dated March 28, 1991 to "B-3 R" Restrictive Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3 R" Restrictive Business District converted to the current "C-3 R" General Commercial Restrictive Alcoholic Sales District.

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-3**Current Land Uses:** HEB, Office, Retail, Food Service**Direction:** South**Current Base Zoning:** MF-33**Current Land Uses:** Cemetery**Direction:** East**Current Base Zoning:** C-2 NA**Current Land Uses:** Church**Direction:** West**Current Base Zoning:** C-3**Current Land Uses:** Auto Parts Store, Food Service Establishment**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:

N/A

Transportation

Thoroughfare: Castroville Road

Existing Character: Minor Secondary Arterial A

Proposed Changes: None Known

Thoroughfare: S General McMullen

Existing Character: Principal Primary Arterial A

Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property. Routes served: 68, 268, 522, 67, 275, 524

Traffic Impact: The traffic generated by the proposed development has increase it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502** A TIA Report will be required.

Parking Information: The minimum parking requirement for a Food Service Establishment is 1 space per 100 sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "C-3R" 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. "C-3R" General Commercial Restrictive Alcoholic Sales Districts are identical to "C-3" General Commercial districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

Proposed 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center but is located within ½ mile of the General McMullen-Babcock 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 not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
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:** The existing “C-3R” General Commercial Restrictive Alcoholic Sales District is an appropriate zoning for the property and surrounding area. The requested “C-2” Commercial District is also an appropriate zoning. The proposed rezoning constitutes a downzoning from “C-3” General Commercial to “C-2” Commercial District. The requested zoning will reduce the intensity of allowable commercial uses on the property. The intended project matches the current development of the surrounding area and creates consistency of uses.
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 objectives.
 - GCF Goal 1-Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.
 - GCF Goal 2-Priority growth areas attract jobs and residents.
 - JEC Goal 4 -San Antonio’s economic environment fosters innovation and attracts new and innovative businesses, investment and industries.
6. **Size of Tract:** The 0.388 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.