



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 2, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2023-10700202 CD

**SUMMARY:**

**Current Zoning:** “MF-33 MLOD-2 MLR-2 AHOD” Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and “C-2 MLOD-2 MLR-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** “C-2NA CD MLOD-2 MLR-2 AHOD” Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 19, 2023. This item was continued from the September 5, 2023 hearing.

**Case Manager:** Adolfo Gonzalez, Zoning Planner

**Property Owner:** Thomas Ariaza

**Applicant:** Steven Martin

**Representative:** Steven Martin

**Location:** 323 North Zarzamora Street

**Legal Description:** the north 50 feet of Lots 7-11, Block 11, NCB 2250

**Total Acreage:** 0.2296

**Notices Mailed**

**Owners of Property within 200 feet:** 40

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association

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

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "C" Apartment District and "G" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District and "G" Local Retail District converted to the current "MF-33" Multi-Family District and "C-2" Commercial District respectively.

**Code & Permitting Details**

There is no relevant code enforcement or permit 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:** Health clinic

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Gas station

**Direction:** South

**Current Base Zoning:** "C-1"

**Current Land Uses:** Convenience store

**Direction:** West

**Current Base Zoning:** "R-3"

**Current Land Uses:** Residential Dwelling

**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:**

None.

**Transportation**

**Thoroughfare:** North Zarzamora Street

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None known.

**Thoroughfare:** West Salinas Street

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes served:** 77, 277

**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 Auto and Vehicle Sales is 1 space per 500 sf GFA. The maximum parking requirement for Auto and Vehicle Sales is 1 space per 375 sf GFA.

**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-2 CD” 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.

The Conditional Use would allow Motor Vehicle Sales (Full Service).

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center and within ½ a mile from the Zarzamora Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval, with Conditions.

The following Conditions are recommended:

- 1) Downward facing lighting
- 2) No Temporary signage
- 3) Hours of operation will be from 10:00 AM-7:00 PM, Monday-Sunday
- 4) No outdoor amplification of sound

**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-2" Commercial District and "MF-33" Multifamily District are appropriate zonings for the property and surrounding area. The proposed "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Auto Sales is also an appropriate zoning. The requested zoning district would maintain the base zoning district of "C-2" Commercial District, while the "CD" Conditional Use would allow for Motor Vehicle Sales (Full Service). The request is also limited to a prescribed site plan that cannot be changed without further Council review. There is a mix of "C-1" Light Commercial, "C-2" Commercial and "C-3" General Commercial zoning districts and several commercial uses that vary in intensity along North Zarzamora Street.
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 Policies of the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

- JEC Goal 1: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses
6. **Size of Tract:** The 0.2296 acre site is of sufficient size to accommodate the proposed Auto Sales 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, JB SA 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 Auto Sales development.