

15. ZONING CASE Z-2023-10700373 S (Council District 7): A request for a change in zoning from "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for a Billiard and Pool Parlor with Food and Alcohol on the Property to "C-2 S MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Private Club on Lot 17, Block 18, NCB 15046, located at 6436 Northwest Loop 410. Staff recommends Approval. (Ann Benavidez, Zoning Planner, (210) 207-8208, ann.benavidez@sanantonio.gov, Development Services Department)



City of San Antonio

Agenda Memorandum

Agenda Date: February 20, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 7

SUBJECT:

ZONING CASE Z-2023-10700373 S

SUMMARY:

Current Zoning: "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for a Billiard and Pool Parlor with Food and Alcohol on the Property

Requested Zoning: "C-2 S MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Private Club

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 20, 2024

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Sanjay Misra

Applicant: Tim Irish

Representative: Tim Irish

Location: 6436 Northwest Loop 410

Legal Description: Lot 17, Block 18, NCB 15046

Total Acreage: 0.7889 acres

Notices Mailed

Owners of Property within 200 feet: 16

Registered Neighborhood Associations within 200 feet: Thunderbird Hills Neighborhood Association

Applicable Agencies: Lackland Airforce Base, Planning Department, Texas Department of Transportation

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 39659 dated August 11, 1971, and was originally zoned Temporary “R-1” Single-Family Residence District. The property was rezoned by Ordinance 41010 dated July 27, 1972, to “R-3” Multiple Family Residence District. The property was rezoned by Ordinance 43448 dated February 21, 1974 to “B-2” Business District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned “B-2” Business District to “C-2” Commercial District. The property was rezoned by Ordinance 97326 dated March 13, 2003 to the current “C-2 CD” Commercial District with a Conditional Use for A Billiard Hall/ Pool Parlor With Food And Alcohol on the property.

Code & Permitting Details:

Certificate of Occupancy Application (COO-APP23-37601782)- August 2023

Topography: The property does not include any abnormal physical features such as slope or incursion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “C-2”, “C-2NA”, “R-6”

Current Land Uses: Food Service Establishment, Restaurant, Commercial Strip

Direction: South

Current Base Zoning: “C-2”, “C-2 S”, “C-3”

Current Land Uses: Gas station, Carwash, Highschool

Direction: East

Current Base Zoning: “R-6”

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: “C-3”, “I-1” “UZROW”

Current Land Uses: Loop 410, Mall, Commercial Strip

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:

NA

Transportation

Thoroughfare: Northwest Loop 410

Existing Character: Interstate Highway

Proposed Changes: None Known

Thoroughfare: Ingram Road

Existing Character: Secondary Arterial Type B

Proposed Changes: None Known

Public Transit: There are VIA bus routes within walking distance of the subject property.

Routes Served: 82, 89, 90, 552, 607

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 a private club is 1 parking space per 3 people.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "C-2 S" 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 "S" Specific Use Authorization permits a Pool/Billiard Hall on the property.

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 “CD” Conditional Use would permit a Private Club (card house) on the property.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center but is within a ½ mile of the Looper Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

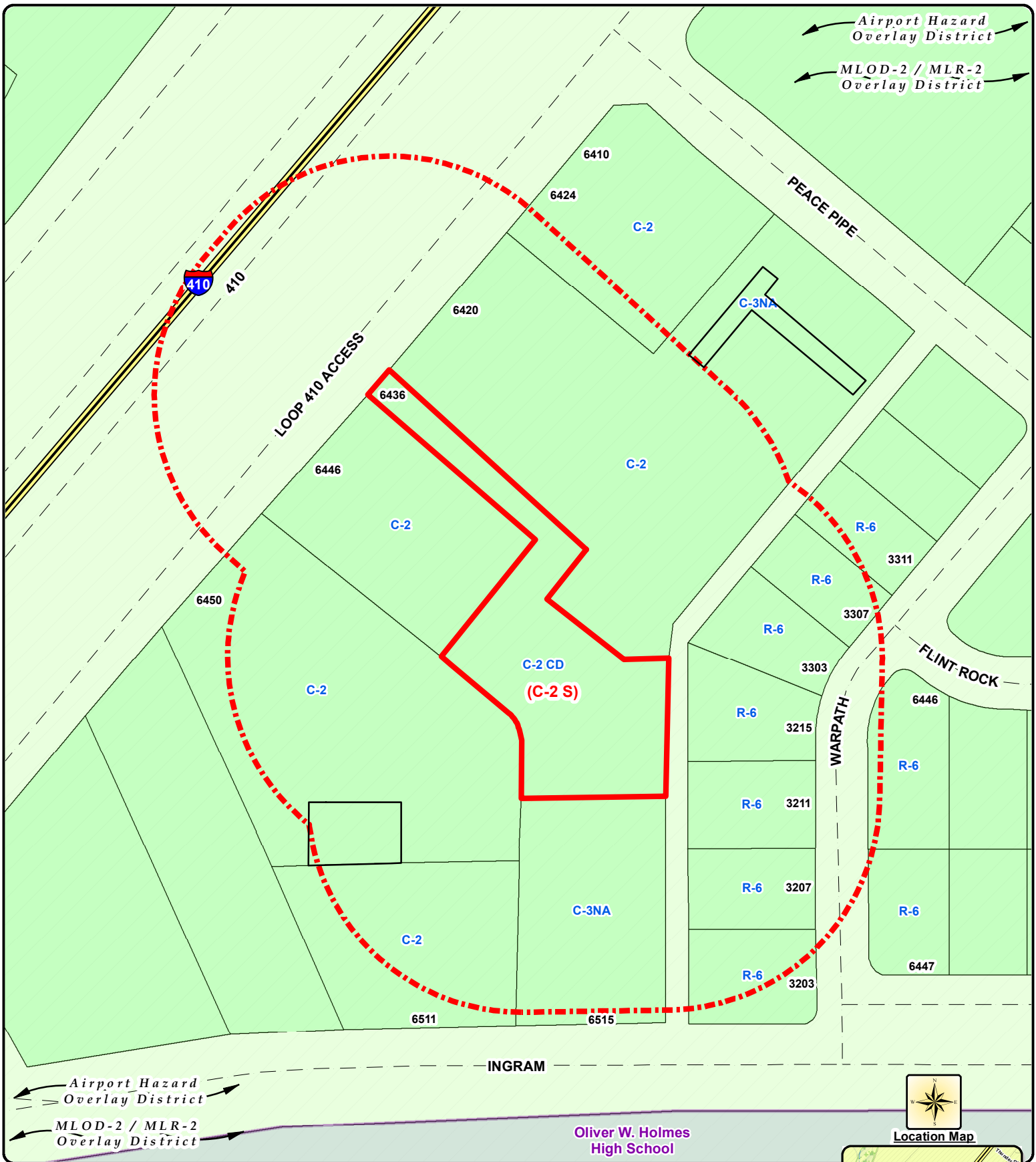
Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the West/Southwest Sector Plan, adopted in April 2011, and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “C-2 S” 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 aligns with the established development pattern of the surrounding area. The property is located in a commercial area, with surrounding properties zoned “C-2” Commercial District, “C-3R” General Commercial Restrictive Alcohol Sales District, “C-3NA” General Commercial Nonalcoholic Sales District.
3. **Suitability as Presently Zoned:** The current C-2 CD” Commercial District with a Conditional Use for a Billiard/Pool Hall is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for a Private Club is also appropriate. The property is located on a commercial island, with the structure that will accommodate the proposed use. The location already has a Conditional Use that will be removed and replaced by the new Specific Use Authorization which would allow a Private Club for Card Playing. The use will be limited by the prescribed site plan and any major changes will require additional zoning 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:** The request does not appear to conflict with any public policy objectives of the West/Southwest Sector Plan:

- ED-3 The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods
6. **Size of Tract:** The subject property is 0.7889 acres, which can reasonably accommodate the proposed commercial development.
 7. **Other Factors:** The applicant intends to rezone to “C-2 CD” to enable the property to accommodate a card house on the 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.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.



Zoning Case Notification Plan

Case Z-2023-10700373

Council District: 7
 School District: Northside I.S.D.
 Scale: 1" = 120 Feet

Legend	
Subject Property(ies)	
200 Ft. Notification Area	
Single Family Residential	1R
Current Land Use Description	TEXT
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
Creek / River Region	
City Limits	
Corridor Overlay	
ERZD Region	
MLOD Region	
AHOD Region	



Note: All Current and Requested Zoning includes: AHOD / MLOD-2 / MLR-2 Overlay Districts



PARKING REQUIRED			
PROPOSED USE	GFA	MINIMUM PARKING	MAXIMUM PARKING
RETAIL MISC STORE	9,152	1/300 GFA	1/200 GFA
TOTAL	9,152	31	46
BICYCLE PARKING		0	

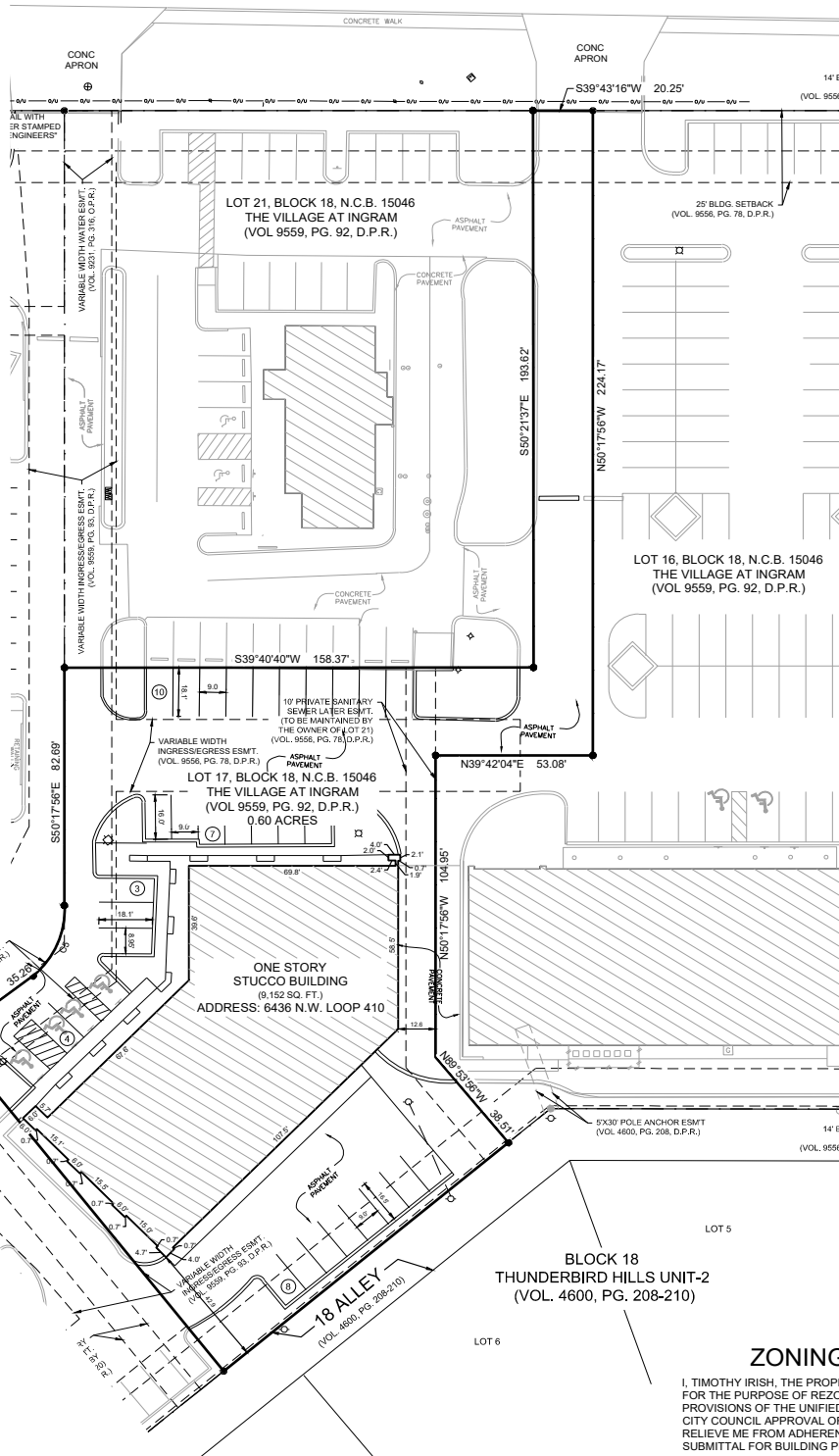
PARKING PROVIDED	
28	REGULAR SPACES
2	ACCESSIBLE SPACES
2	VAN ACCESSIBLE SPACES
32	TOTAL SPACES
0	BICYCLE PARKING

IMPERVIOUS COVER (EXISTING)		
TOTAL SITE AREA	34,388 SQ. FT.	0.789 ACRES
IMPERVIOUS COVER AREA (BUILDINGS)	9,152 SQ. FT.	0.21 ACRES
IMPERVIOUS COVER AREA (PARKING)	18,937 SQ. FT.	0.434 ACRES
IMPERVIOUS COVER AREA (WALKS)	3,178 SQ. FT.	0.073 ACRES
IMPERVIOUS COVER AREA (TOTAL SITE)	31,267 SQ. FT.	0.717 ACRES
IMPERVIOUS COVER SHOWN %	90.8%	

INTERSTATE HIGHWAY LOOP 410 (PUBLIC RIGHT OF WAY VARIES)



SCALE: 1" = 30'



"C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for a Billiard and Pool Parlor with Food and Alcohol on the Property t

"C-2 S MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Private Club

Additional information required under Table B101-1 may be found through various Development Service Department records, including those associated with platting, addressing, building and permits. Reference to those records as required for zoning review is incorporated herein for Site Plan purposes under Chapter 35 (Unified Development Code).

ZONING CASE Z-2023-10700373

I, TIMOTHY IRISH, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND THAT THE CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A REZONING CASE DOES RELIEVE ME FROM ADHERENCE TO ANY/ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.



MACINA • BOSE • COPELAND & ASSOC., INC.
 CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232
 (210) 545-1122 Fax (210) 545-9302 www.mbcengineers.com

FIRM REGISTRATION NUMBER: T.B.P.E. F-784 & T.B.P.L.S. 10011700

ZONING EXHIBIT OF

LOT 17, BLOCK 18, NEW CITY BLOCK 15046, VILLAGE AT INGRAM PARK, AN ADDITION TO THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9552, PAGE(S) 86, OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

PLAT ID#	-
AP#	-
DESIGN	-
DRAWN	TP
CHECKED	-
DATE	02-15-24
JOB NO.	33596-0971
SHT.	1 OF 1



**DEPARTMENT OF THE AIR FORCE
502D AIR BASE WING
JOINT BASE SAN ANTONIO**



7 February 2024

MEMORANDUM FOR CITY OF SAN ANTONIO

FROM: 502 ABW/CMI

JBSA Installation Mission Sustainment

2080 Wilson Way

Fort Sam Houston, TX 78234

SUBJECT: Joint Base San Antonio review of Zoning Case Z-2023-10700373 S

1. Zoning Case Z-2023-10700373 S has been reviewed by JBSA- LAK organizations. JBSA does not object with this request; however, there are additional comments for consideration in planning and development.
 - a. Subject property is within City of San Antonio Lackland Military Lighting Overlay District (MLOD) and will be required to comply with MLOD lighting standards at:
https://library.municode.com/tx/san_antonio/codes/unified_development_code?nodeId=ARTIIIZO_DIV4OVDI_S35-339.04MILIOVDI, or most current City of San Antonio MLOD ordinance, related to development within 5-miles of a military installation.
 - b. Any proposed exterior construction plans, construction or alteration projects which include vertical elements (equipment: cranes, towers: communication or water) may require FAA review to verify no hazard to flight navigation prior to issuance of any construction permits.

FAA CFR Title 14 Part 77 Notice Criteria Tool that can be utilized to aid in FAA notification requirements can be found here:
<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToForm>

Further FAA guidance is also available here:
https://www.faa.gov/documentLibrary/media/Form/FAA_Form_7460-1_042023.pdf
 - c. To mitigate potential interference with existing JBSA operational systems, please coordinate with 502 CS Spectrum Manager prior to use of any Spectrum dependent systems (i.e.: two-way radio communications, or any type of wireless technologies) during construction. If applicable, coordination requested by facility user prior to installation/use of any Spectrum dependent commercial or manufacturing equipment.

- d. The FAA recommends criteria of land-use practices in their Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants on or Near Airports, which is applicable to properties within five miles of JBSA-Kelly Field. To reduce the exposure to aircraft-wildlife strikes, please use the link below to access this publication and use the information to help reduce wildlife-attractant features near airports. Unwavering consideration for this aviation safety hazard is vital.

https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentnumber/150_5200-33

2. Point of contact for this action is Sean R. Greszler, AICP, 502 ABW/CMI. He can be reached at 210-808- 7549 or by email at sean.greszler.1@us.af.mil or through the 502d ABW Community Initiatives organization email box at 502ABW.ABW.Community_initiative@us.af.mil

ANDERSON.J
OHN.HENRY.1
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ou=USAF, email=unknown, c=US
Date: 2024-02-07T17:29:06-0600

JOHN H. ANDERSON, GS-14, USAF
Executive Director, Community and
Mission Integration, JBSA & 502 ABW