



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 2, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2024-10700026 CD

**SUMMARY:**

**Current Zoning:** "C-2 CD EP-1 MLOD-3 MLR-1" Commercial Facility Parking/Traffic Control Overlay Martindale Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for Hardware Sales - Wholesale

**Requested Zoning:** "C-2 CD EP-1 MLOD-3 MLR-1" Commercial Facility Parking/Traffic Control Overlay Martindale Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for Warehouse - Outside Storage with Screening

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 2, 2024. This item was continued from the March 19, 2024 hearing.

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** Salado Creek Properties, LLC

**Applicant:** Matador Capital, LLC

**Representative:** Kaufman Group

**Location:** 3444 East Commerce Street

**Legal Description:** Lot 22 and Lot 23, Block 1, NCB 11674

**Total Acreage:** 3.435 acres

**Notices Mailed****Owners of Property within 200 feet:** 42**Registered Neighborhood Associations within 200 feet:** Coliseum/Willow Park Neighborhood Association**Applicable Agencies:** Martindale Army Base, Fort Sam Houston, Parks and Recreation, Planning Department**Property Details**

**Property History:** Property History: The subject property was annexed into the City of San Antonio by Ordinance 15765 dated October 17, 1951, and was originally zoned “H” Local Retail District. A portion of the property was rezoned by Ordinance 56, 398 dated January 13, 1983 to “I-1” Light Industry District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned “H” Local Retail District converted to “C-3” General Commercial District, and the portion of the property zoned “I-1” Light Industry District converted to “I-1” General Industrial District. The property was rezoned by Ordinance 2008-12-04-1128 dated December 4, 2008 to "AE-3 S EP-1" Arts and Entertainment District with Specific Use Authorization for Food and Food Products-Processing. The property was rezoned by Ordinance 2013-01-17-0041, dated January 17, 2013 to the current "C-2 CD EP-1" Commercial Facility Parking/Traffic Control Overlay District with a Conditional Use for Hardware Sales – Wholesale.

**Code & Permitting Details:**

There are no code or permitting details for the subject property.

**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:** “AE-4”**Current Land Uses:** Chemical Plant, Industrial equipment supplier, sign shop**Direction:** South**Current Base Zoning:** “R-4”**Current Land Uses:** Residential dwelling units**Direction:** East**Current Base Zoning:** “AE-4”, “R-4”**Current Land Uses:** Commercial property (vacant structure), Vacant**Direction:** West**Current Base Zoning:** “AE-3”, “AE-3 S”**Current Land Uses:** Warehouse structure, Catering service

**Overlay District Information:**

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

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:**

No special district information.

**Transportation**

**Thoroughfare:** East Commerce Street

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** None Known

**Thoroughfare:** Dafoste Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

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

**Routes Served:** 25, 225

**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 warehousing is 1 parking space per 5,000 square feet of gross floor area

**ISSUE:**

None.

**ALTERNATIVES:**

Current 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 current "CD" Conditional Use permits Hardware Sales 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 proposed “CD” Conditional Use would permit a warehouse 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 FM78 Metro 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 Arena District / Eastside Community Plan, adopted December 2003, and is currently designated as “Mixed Use” in the future land use component of the plan. The requested “C-2 CD” 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. The property is in an area that accommodates other commercial and light industrial uses.
3. **Suitability as Presently Zoned:** The current “C-2 CD” Commercial District with a Conditional Use for Hardware Sales - Wholesale is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for Warehouse - Outside Storage with Screening is also appropriate. The property fronts a primary arterial and is placed and sized to adequately accommodate the proposed development. The structure that will accommodate the proposed use is already existing on the property, and the “CD” Conditional Use prescribes a site plan that will prevent expansion of the structure. Deviation from the approved document could warrant the need for 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:** The request does not appear to conflict with any public policy objectives of the Arena District / Eastside Community Plan:
  - 2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations
  - 4.7 Recommend new light industrial uses in the general location of existing industrial uses and adjacent to residential development, to create an appropriate land use transition
6. **Size of Tract:** The subject property is 3.435 acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors** The applicant intends to rezone to “C-2 CD” to repurpose an existing structure to accommodate warehousing uses.

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 JB SA were 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.