



City of San Antonio

Agenda Memorandum

Agenda Date: April 6, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:
ZONING CASE Z-2023-10700007

SUMMARY:

Current Zoning: C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, and "I-1 MLOD-2 MLR-1 AHOD" Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 1.897 acres and "C-3NA MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 2.067 acres

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 21, 2023

Case Manager: Adolfo Gonzalez, Planner

Property Owner: John Anthony Yamaguchi

Applicant: O2 Real Estate Holdings, LLC/John Moake

Representative: Brown & Ortiz

Location: 3003 SW Military Drive

Legal Description: Lot A and Lot A-2, Block 6, NCB 12495

Total Acreage: 3.964 acres

Notices Mailed

Owners of Property within 200 feet: 28

Registered Neighborhood Associations within 200 feet: Quintana Community Neighborhood Association

Applicable Agencies: Lackland Airforce Base, Texas Department of Transportation

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 1391, dated September 22, 1944 and zoned "JJ" Commercial District. The property was rezoned by Ordinance 47762, dated March 17, 1977 to "I-1" Light Industry District, "B-2" Business District, and "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-1" Light Industry District, "B-2" Business District, and "B-3" Business District respectively converted to the current "I-1" General Industrial District, "C-2" Commercial District, and "C-3" General Commercial 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: Vacant Property

Direction: East

Current Base Zoning: "C-3" and "R-6"

Current Land Uses: Tire shop and residential dwelling

Direction: South

Current Base Zoning: "C-2"

Current Land Uses: Fast food restaurant

Direction: West

Current Base Zoning: "I-1"

Current Land Uses: Collision Center

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: Somerset Road

Existing Character: Secondary Arterial A

Proposed Changes: None known.

Thoroughfare: McCauley Boulevard

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Barlite Boulevard

Existing Character: Local

Proposed Changes: None known.

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

Routes Served: 51, 102, 524

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 a restaurant is 1.0 space per 100 sf GFA. The minimum parking requirement for medical office is 1.0 space per 400 sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

"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.

"C-3" 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.

Proposed Zoning: “C-3” 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-3NA” General Nonalcoholic District is the same as the “C-3” General Commercial but prohibits sales of alcohol on the property.

FISCAL IMPACT:

None known.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located with a Regional Center and within ½ a mile from 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 located within the Kelly/South San PUEBLO Community Plan and is currently designated as "Regional Commercial" in the future land use component of the plan. The requested "C-3" 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. There is “C-3” General Commercial zoning to the north and east of the subject property.

3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District, "C-3" General Commercial District, and "I-1" General Industrial Districts are appropriate zoning districts for the property and surrounding area. The proposed "C-3" General Commercial District and "C-3 NA" General Commercial Nonalcoholic Sales District are appropriate zoning for the property and surrounding area. The proposed rezoning request is to consolidate the properties into a "C-3" General Commercial base district with one portion of the property having the "NA" Nonalcoholic Sales designation. The subject property is within its own block and abuts "I-1" General Industrial.
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 of the Kelly/South San PUEBLO Community Plan.

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.

Relevant Goals and Objectives of the Kelly/South San Pueblo Community Plan may include:

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.

Economic Development Objective 3.2 - Attract and support a variety of businesses in a walkable, mixed-use environment

6. **Size of Tract:** The 3.964 acres site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends on rezoning the property to permit the operation of restaurants, medical offices, and a car wash.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation. There are historic age structures present on these properties. A 30-day review period is required for demolition.

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.