



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 18, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2023-10700033 S

(Associated Plan Amendment PA-2023-11600009)

**SUMMARY:**

**Current Zoning:** "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Region 1 Airport Hazard Overlay District with a Conditional Use for Office/Warehouse

**Requested Zoning:** "C-2 S MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization for Party House, Reception Hall, Meeting Facilities

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 18, 2023

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

**Property Owner:** Ramiro Reyes

**Applicant:** Ramiro Reyes

**Representative:** Ramiro Reyes

**Location:** 2634 Southwest 34th Street

**Legal Description:** Lots 23 and 24, Block 5, NCB 11370

**Total Acreage:** 1.9972 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Thompson Neighborhood Association

**Applicable Agencies:** Lackland Military Base

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115 dated September 24, 1952, and originally zoned “B” Residence District. The property was rezoned by Ordinance 55,333 dated May 20, 1982, to “I-1” Light Industry District. The property was rezoned by Ordinance 65106 dated May 28, 1987, to “R-1” Residential Single-Family District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-1” Residential Single-Family District converted to “R-6” Residential Single-Family District. The property was rezoned by Ordinance 2018-02-15-0137 dated February 15, 2018 to “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for an Office Warehouse. The property was then rezoned by Ordinance 2019-04-04-0292 dated April 4, 2019 to “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for an Office Warehouse (major site plan amendment).

**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-3R CD”, “R-6”

**Current Land Uses:** Various industrial uses, Vacant, Residential Dwelling

**Direction:** South

**Current Base Zoning:** “MI-2 S”

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** “R-6”

**Current Land Uses:** Vacant, Residential Dwelling

**Direction:** West

**Current Base Zoning:** “I-1”

**Current Land Uses:** Various industrial uses

**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:** Southwest 34th Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Beech Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus stops in proximity to the subject property.

**Routes Served:** NA

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** There is no minimum parking requirement for a dance hall is 1 parking space per 100 square feet of gross floor area.

**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.

The current "CD" Conditional Use permits office/warehouse uses on the property.

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.

If approved, the “S” Specific Use Authorization would allow a Party House, Reception Hall, Meeting Facilities venue on the property.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Port San Antonio Area Regional Center but is not within a ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Port San Antonio Area Regional Center Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “C-2 S” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Employment/Flex Mixed-Use”. Staff and Planning Commission recommend Approval.
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 located amongst various industrial uses and low density-residential uses.
3. **Suitability as Presently Zoned:** The current “C-2 CD” Commercial District with a Conditional Use for an Office/Warehouse is an appropriate zoning for the property and surrounding area. The proposed “C-2 S” Commercial District with a Specific Use Authorization for Party House, Reception Hall, Meeting Facilities is also appropriate. While the property is adjacent to an established single-family residential neighborhood, it is also directly adjacent to various industrial uses. The “S” Specific Use Authorization component of the request will hold the development of the event center to a site plan that will address things like landscape buffers, parking, and ingress/egress. Additionally, any expansion of the use beyond the approved site plan will require 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 Port San Antonio Area Regional Center Plan:

- GOAL 5: Promote future development that is compatible with existing neighborhoods and that incorporates sound stormwater management practices.

- Objective 5.1: Work with private developers and builders, non-profit housing corporations, city departments, and housing agencies to identify potential areas for residential in-fill housing, targeting existing vacant lots.

**6. Size of Tract:** The subject property is 1.9972 Acres, which can reasonably accommodate the proposed development.

**7. Other Factors:** The applicant intends to rezone to “C-2 S” to develop a Party House, Reception Hall, Meeting Facilities venue 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.

The proposed rezoning includes the requirement for a 6-foot solid screen fence adjacent to the existing single family residential use(s), prior to obtaining a Certificate of Occupancy, per Section 35-514(d) of the Unified Development Code.