



# City of San Antonio

## Agenda Memorandum

**File Number:**  
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**Agenda Item Number:** {{item.number}}

**Agenda Date:** September 21, 2021

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**  
ZONING CASE Z-2021-10700210 CD

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport and "R-6 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for 2 residential units

**Requested Zoning:** "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Warehousing

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 21, 2021

**Case Manager:** Rebecca Rodriguez

**Property Owner:** MC Properties and Investments LLC

**Applicant:** Patrick Christensen

**Representative:** Patrick Christensen

**Location:** 1002, 1034, 1014 SW 39th St and 2639 and 2631 Castroville

**Legal Description:** Lots 10 through Lot 13, and Lot 15, Block 18, NCB 8991 and 0.0045 acres out of NCB 8991

**Total Acreage:** 6.2671

**Notices Mailed**

**Owners of Property within 200 feet:** 37

**Registered Neighborhood Associations within 200 feet:** Los Jardines Neighborhood Association

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The properties were annexed into the City of San Antonio by Ordinance 1448, dated October 12, 1944. 1002, 1014, and 1034 SW 39th Street and the northern portion of 2639 and 2631 Castroville were zoned "C" Apartment District. Southern portions of 2639 and 2631 Castroville were zoned "JJ" Commercial District. The properties were rezoned by Ordinance 68428, dated December 1, 1988 from "C" Apartment District to "R-1" Single-Family Residence District. 1002 SW 39th was rezoned by the same ordinance from "C" Apartment District to "R-1 SUP" Single-Family Residence District with Special Use Permit for two residences on the lot. The southern portions of 2639 and 2631 Castroville were rezoned from "JJ" Commercial District to "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" converted to the current "R-6" Residential Single-Family District, "R-1 SUP" Single-Family Residence District with Special Use Permit for two residences converted to the current "R-6 CD" Residential Single-Family District with a Conditional Use for two (2) residential units, and "B-2" converted to the current "C-2" Commercial.

**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:** "R-6"

**Current Land Uses:** Single Family Residence

**Direction:** South  
**Current Base Zoning:**  
**Current Land Uses:** Early Head Start Education Center

**Direction:** East  
**Current Base Zoning:** "C-2"  
**Current Land Uses:** Motel/Extended Stay

**Direction:** West  
**Current Base Zoning:**  
**Current Land Uses:** Office/Warehouse and Distribution Center

**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:** None

**Transportation**

**Thoroughfare:** SW 39th Street  
**Existing Character:** Local  
**Proposed Changes:** None

**Thoroughfare:** Castroville Road  
**Existing Character:** Secondary Arterial A  
**Proposed Changes:** None

**Public Transit:** There are VIA bus routes are within walking distance of the subject property. Routes served: 75

**Traffic Impact:** Castroville is identified on the City's Major Thoroughfare Plan as (Secondary Arterial Type A 86' ROW). ROW dedication and improvement may be required. Arterials require min. 48' pavement – 24' from centerline. Per UDC Table 506-3, note 5 bike facilities are required on all arterials along with sidewalks. ROW dedication and improvement may be required along SW 39th Street.

**Parking Information:** The minimum parking requirement for and Office/Warehouse is 1 per 2,000 sf GA.

**Thoroughfare:** SW 39th Street

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Castroville Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes are within walking distance of the subject property.  
Routes served: 75

**Traffic Impact:** Castroville is identified on the City's Major Thoroughfare Plan as (Secondary Arterial Type A 86' ROW). ROW dedication and improvement may be required. Arterials require min. 48' pavement – 24' from centerline. Per UDC Table 506-3, note 5 bike facilities are required on all arterials along with sidewalks. ROW dedication and improvement may be required along SW 39th Street.

**Parking Information:** The minimum parking requirement for and Office/Warehouse is 1 per 2,000 sf GA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: C-2 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. Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: C-2 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.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center or within the Premium Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 and is currently designated as “General Urban Tier” 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 finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District and “R-6” Residential Single-Family District are appropriate zonings for the property and surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for Warehousing will be encroaching into an established residential neighborhood. A warehouse use is typically permitted by right in “C-3” General Commercial and is more intense in nature. “C-3” General Commercial uses are not intended to abut residential uses as a basic planning principle, due to potential adverse effects such as heavy truck traffic, noise and other similar nuisances.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. The proposed warehouse will bring noise, pollution, and new traffic patterns in a residential neighborhood.
5. **Public Policy:** The request does appear to conflict with any public policy objectives of the West/Southwest Sector Plan.

### **Relevant goals/policies of the Comprehensive Plan may include:**

**Growth and City Form P4:** Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

**Growth and City Form P5:** Growth and city form support improved livability in existing and future neighborhoods.

**Growth and City Form P9:** Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas where appropriate.

**Competitiveness P24:** Continue to support San Antonio’s traditional industries as entryways for needed entry-level positions for a growing population.

**Jobs and Economic Competitiveness P30:** Coordinate economic development efforts and land use plans to encourage and incentivize employment growth.

**Relevant goals/strategies of the West/SW Sector Plan may include:**

**Land Use Goal 1:** Land use pattern emphasizes compatibility and appropriateness between uses and protects neighborhoods and businesses from incompatible land uses.

**Land Use Strategy 1.3:** Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby

**Land Use Goal 3:** Corridors are carefully planned to create dynamic, mixed-use, pedestrian oriented nodes that are integrated into the surrounding community.

**Economic Development Goal 1:** The West/Southwest Sector is an economically sustainable community in which residents have a variety of employment opportunities.

**Economic Development Goal 2:** Existing and planned future corridors and accessible, pedestrian commercial nodes contain strong, vibrant business activities with a mix of uses and employment opportunities.

**Economic Development Goal 3:** The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods. Staff recommends approval of the rezoning request with some suggested conditions to ensure compatibility with surrounding properties. The proposed development is generally consistent with the goals and policies of the West Sector Plan, and the SA Tomorrow Comprehensive Plan.

6. **Size of Tract:** The 6.2671-acre site is of sufficient size to accommodate commercial uses and the proposed warehouse.
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.

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.

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 Warehouse.