



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 18, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2021-10700346

**SUMMARY:**

**Current Zoning:** "I-2 MLOD-2 MLR-1 AHOD" Heavy 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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 18, 2022

**Case Manager:** Mirko Maravi, Planning Coordinator

**Property Owner:** South Park Mall Realty LLC & South Park CH LLC & South Park Nassim LLC; Macys TX I LP; Tinamou Corp; Speedy Stop Food Stores LLC; DP Real Estate LP

**Applicant:** Development Services Department

**Representative:** Development Services Department

**Location:** 2102, 2130, 2310, 2400 Southwest Military Drive and 7707 Interstate 35 South

**Legal Description:** Lot 1, Lot 4, Lot 5, Lot 6, Lot 7, the west irregular 325 feet of Lot 2, and the south irregular 496.88 feet of Lot 2, NCB 12328 (55.5351 acres out of NCB 12328) and Lot 18, Lot 19, Lot 20, and Lot 21, NCB 9503

**Total Acreage:** 58.0605

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Tierra Linda Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base, TxDOT, Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City by Ordinance 4745, on March 7, 1947, and was zoned "LL" Manufacturing District. The zoning converted to the current "I-2" Heavy Industrial District upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001.

**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" and "C-2"

**Current Land Uses:** Commercial

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Hospital

**Direction:** East

**Current Base Zoning:** "ROW"

**Current Land Uses:** IH-35

**Direction:** West

**Current Base Zoning:** "I-2", "C-3" and "C-2"

**Current Land Uses:** Commercial

**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:** Interstate 35 South

**Existing Character:** Interstate

**Proposed Changes:** None known

**Thoroughfare:** Southwest Military Drive

**Existing Character:** Primary Arterial A

**Proposed Changes:** None known

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

**Routes Served:** 51, 102, 103, 672

**Traffic Impact:** Not proposing new development. Only changing current zone. Military and I-35 are TxDOT roadways. TxDOT review and approval will be required. Please submit documents to TxDOT for review. ROW dedication and improvement may be required along Zarzamora. TIA review will be revisited during building permit(s) and/or plat.

**Parking Information:** Parking already exists on site. In general retail/commercial uses require 1 parking space for every 300 square feet.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** “I-2” Heavy Industrial district allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling.

**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.

**FISCAL IMPACT:**

None.

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

Property is not within a Regional Center but within the 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 (South Park Mall) is located within the West/SW Sector Plan and is currently designated as Mixed Use Center in the future land use component of the plan. The requested "C-3" General Commercial 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.
- 3. Suitability as Presently Zoned:** The existing "I-2" Heavy Industrial District is not an appropriate zoning for the property and surrounding area. The proposed "C-3" General Commercial District applies zoning to the property that correlates to the existing use of the property. The proposed "C-3" General Commercial zoning is also appropriate along SW Military Drive.
- 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/SW Sector Plan.

GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

Relevant Goals and Strategies of the West/SW Sector Plan may include:

Goal LU1: Land use pattern emphasizes compatibility and appropriateness between uses and protects neighborhoods and businesses from incompatible land uses.

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

Goal ED 4: Infill and redevelopment opportunities are well planned and incentivized within Loop 410.

- 6. Size of Tract:** The 58.0605acre site is of sufficient size to accommodate the existing commercial development.

7. **Other Factors:** This is a city-initiated rezoning to apply proper and current zoning for South Park Mall. The current industrial zoning of this property dates back to 1947. Zoning designations dating back this far allowed a multitude of uses including industrial, commercial and even residential. This request for rezoning by Council District 4, is an opportunity to more accurately define the zoning of the property in relation to its current use as multiple commercial and retail businesses. This rezoning will also eliminate zoning compatibility issues as the current “I-2” Heavy Industrial is designed to limit public uses, to protect the general public from the potentially harmful and hazardous nature of industrial uses. This is contrary to the current use of 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 the request.