



# City of San Antonio

## Agenda Memorandum

**File Number:**21-2870

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**Agenda Item Number:** Z-13.

**Agenda Date:** 4/15/2021

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2021-10700023

**SUMMARY:**

**Current Zoning:** "C-3NA MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 6, 2021. This case is expedited to the City Council meeting of April 15, 2021.

**Case Manager:** Michael Pepe, Planner

**Property Owner:** MSG Properties LLC

**Applicant:** Rudolfo Lopez

**Representative:** Rudolfo Lopez

**Location:** 3822 Pleasanton Road

**Legal Description:** 0.0361 acres out of NCB 11155

**Total Acreage:** 0.0361

**Notices Mailed**

**Owners of Property within 200 feet:** 5

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property annexed into the City of San Antonio and by Ordinance 18115 dated September 25, 1952 and was originally zoned “JJ” Manufacturing District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned “JJ” converted to the current “I-1” General Industrial District. The property was rezoned by Ordinance 2010-02-18-0152 dated February 18, 2010 from “I-1” to “C-3NA”.

**Topography:** The subject 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-3NA”, “I-1”

**Current Land Uses:** Lumber Store and Event Space, Animal Hospital

**Direction:** South

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Lumber Store and Event Space

**Direction:** East

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Lumber Store and Event Space

**Direction:** West

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Lumber Store and Event Space

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

"MLOD-2"

All surrounding properties carry the "MLOD-1" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. The "MLOD-1" 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.

**Transportation**

**Thoroughfare:** Pleasanton

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

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

**Routes Served:** 44

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed

development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a food service establishment is 1 space per 100 square feet of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The existing “C-3NA” is 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 districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

**Proposed:** The proposed “C-3” is 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.

Removal of the “NA” Nonalcoholic Sales will allow sales of alcohol at a proposed event center.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center nor is it located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.

**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 requested change would only remove restriction on alcohol sales on a specific portion of the property.

**3. Suitability as Presently Zoned:**

The current “C-3NA” District is an appropriate zoning for the property. The proposed “C-3” would also be appropriate for the property and would allow the property owner to sell alcoholic beverages at the existing business.

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the SA Tomorrow Comprehensive Plan:

JEC P30: Coordinate economic development efforts and land use plans to encourage and incentivize employment growth within regional centers and along transit corridors.

JEC P31: Create gathering places that encourage interactions between people within regional centers and along transit and other transportation corridors.

**6. Size of Tract:**

The subject property is 0.0361 acres, reasonably accommodates the existing commercial uses.

**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.

The applicant intends to operate a food stand at an existing event space.