



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-1053

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/4/2021

**Title:** ZONING CASE Z-2020-10700255 (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on Lot B, NCB 10744, located at 2700 Rigsby Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment, PA-2020-11600069)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2021-02-04-0072

Date	Ver.	Action By	Action	Result
2/4/2021	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2020-10700255  
(Associated Plan Amendment PA-2020-11600069)

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 15, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Cibolo Ranch Corp.

**Applicant:** Caesar P. Flores

**Representative:** Caesar P. Flores

**Location:** 2700 Rigsby Avenue

**Legal Description:** Lot B, NCB 10744

**Total Acreage:** 0.7493

**Notices Mailed**

**Owners of Property within 200 feet:** 19

**Registered Neighborhood Associations within 200 feet:** Commanche Community Neighborhood Association

**Applicable Agencies:** Martindale, Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 25, 1952 and was originally zoned "A" Single Family District. The subject property was rezoned from "A" Single Family District to "R-5" Single-Family Residence District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001.

**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-2", "R-5"

**Current Land Uses:** Auto Repair and Maintenance, Vacant Land

**Direction:** South

**Current Base Zoning:** "C-1"

**Current Land Uses:** Auto Repair and Sales, Restaurant

**Direction:** East

**Current Base Zoning:** "R-5"

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "C-3NA", "C-2"

**Current Land Uses:** Car Stereo Store, Bar

**Overlay and Special District Information:**

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" 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:** Rigsby Avenue

**Existing Character:** Arterial

**Proposed Changes:** None

**Thoroughfare:** Boulder Avenue

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Holmgreen Road

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance.

**Routes Served:** 30, 230

**Traffic Impact:** A Traffic Impact Analysis is not required; the proposed use does not exceed the minimum threshold.

**Parking Information:** The parking requirement for a food service establishment is one (1) parking space per 100 sf GFA. The parking requirement for a professional office is one (1) parking space per 300 sf GFA. The parking requirement for a beauty or barber shop is one (1) parking space per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “R-5” Residential Single-Family are designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing single-family dwellings and commercial businesses along the Fredericksburg Road corridor. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed “C-2” Commercial District is designed to accommodate Community Commercial uses such as art galleries, restaurants, offices, and limited retail sales with some outdoor display of goods. Community Commercial uses are typically located on arterials at major intersections (nodes) or in established commercial areas along arterials. Other examples of Community Commercial uses include convenience stores with gas stations, grocery stores, and community shopping centers.

**FISCAL IMPACT:**

None.

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

The subject property is not within a regional center and is not within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval, pending Plan Amendment.

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

**1. Consistency:**

The subject property is located within the Eastern Triangle Community Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-2” base-zoning district is not consistent with the future land use designation. The applicant requested a Plan Amendment to “Community Commercial”. Staff recommends Approval. The Planning Commission recommendation is pending the December 16, 2020 hearing.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found 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 and along the Rigsby Avenue arterial corridor.

**3. Suitability as Presently Zoned:**

The existing “R-5” Residential Single-Family base zoning is appropriate for the surrounding area. The proposed “C-2” is also suitable to the area and would allow the applicant to proceed with finding a tenant who would like to establish a commercial establishment, such as a restaurant, business office, or beauty/barbershop.

**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 Eastern Triangle Community Plan:

**Goal 7- Create a community wide economic development plan**

- **Objective 7.2:** Attract new businesses to the Eastern Triangle

**Goal 8- Expand and build thriving commercial corridors**

- **Objective 8.1:** Identify specific corridors for revitalization and develop strategic plans for redevelopment

**Goal 9- Promote diversification of businesses and services**

- **Objective 9.1:** Increase range of family-oriented businesses and services within the Eastern Triangle

**6. Size of Tract:**

The subject property is 0.7493 acres, which could reasonably accommodate a commercial uses.

**7. Other Factors:**

The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to the request.