



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-2869

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/15/2021

**Title:** ZONING CASE Z-2021-10700021 (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 EP-1 MLOD-3 MLR-1" Residential Single-Family Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "C-2 EP-1 MLOD-3 MLR-1" Commercial Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "IDZ-2 EP-1 MLOD-3 MLR-1" Medium Intensity Infill Development Zone Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with uses permitted in "MF-50" Multi-Family District on 12.088 acres out of NCB 10578, located at 3623 East Commerce Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA 2021-11600004)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Metes and Bounds, 6. Ordinance 2021-04-15-0257

Date	Ver.	Action By	Action	Result
4/15/2021	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2021-10700021  
(Associated Plan Amendment PA-2021-11600004)

**SUMMARY:**

**Current Zoning:** "R-5 EP-1 MLOD-3 MLR-1" Residential Single-Family Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "C-2 EP-1 MLOD-3 MLR-1" Commercial Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "IDZ-2 EP-1 MLOD-3 MLR-1" Medium Intensity Infill Development Zone Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with uses permitted in "MF-50" Multi-Family 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:** Justin Malone, Planner

**Property Owner:** Gurinda Akhtar

**Applicant:** Amir Namakforoosh

**Representative:** Amir Namakforoosh

**Location:** 3623 East Commerce Street

**Legal Description:** 12.088 acres out of NCB 10578

**Total Acreage:** 12.088

**Notices Mailed**

**Owners of Property within 200 feet:** 11

**Registered Neighborhood Associations within 200 feet:** Jefferson Heights Neighborhood Association

**Applicable Agencies:** Planning Department, Martindale Army Airfield, Fort Sam Houston Military Base

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and was originally zoned "A" Single Family District and "F" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single Family District converted to the current "R-5" General Commercial District and the property zoned "F" Local Retail District converted to the current "C-2" Commercial District.

**Topography:** The property does not include any abnormal physical features such as slope, however northern and eastern sections of the property are within the flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Vacant Land

**Direction:** East

**Current Base Zoning:** "L"

**Current Land Uses:** Industrial Door Supplier, Hardware Store

**Direction:** South

**Current Base Zoning:** "L", "I-1", "C-3"

**Current Land Uses:** Vacant Land, Coffee Retail, Hotel, Bar

**Direction:** West

**Current Base Zoning:** "C-2", "AE-3 S"

**Current Land Uses:** Residential Multifamily, Moving Truck Rental

**Overlay and Special District Information:**

"EP"

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

**"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.

**"IDZ"**

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

**Transportation**

**Thoroughfare:** E Commerce Street

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

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

**Routes Served:** 25, 225

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** The parking requirement for "IDZ-2" is reduced by 50 percent.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning district designation of "C-2" are intended to provide for more community commercial uses with unlimited building size and building height limitation of 25 feet. Examples of permitted uses include liquor store, auto and light truck oil, lube and tune up, auto glass tinting, gas station, and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining. The current zoning district designation of "R-5" are intended to provide for single-family dwellings (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, as well as foster family homes and public and private schools.

**Proposed:** The proposed zoning district designation of "IDZ-2" allows rezoning requests with uses permitted for up to fifty (50) residential units per acre. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

**FISCAL IMPACT:**

None.

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

The property is not within a Regional Center but is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 Arena District / Eastside Community Plan and is currently designated as “Parks/Open Space” and “Mixed Use” in the land use component of the plan. The applicant has requested a Plan Amendment to change the land use from “Parks/Open Space” and “Mixed Use” to “Mixed Use”. Staff and Planning Commission recommend Approval.

**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. The request and site plan limit the density to 50 dwelling units per acre.

**3. Suitability as Presently Zoned:**

The existing “C-2” and “R-5” base zoning districts are appropriate for the surrounding area. The proposed “IDZ -2” is also appropriate and achieves the plan’s goal of increasing the number of residents in the Arena District / Eastside Community. The site is located on East Commerce Street, near the junction of East Houston Street and frontage roads with access to Interstate Highway 10. The proposed zoning change is requested to permit development of the site for uses permitted for up to fifty (50) residential units per acre.

**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 objective of the Arena District / Eastside Community Plan, which encourages the following:

**Land Use and Community Facilities:**

**2. Land Use Guiding Principles**

- **2.2:** Protect the neighborhoods by providing them with the necessary improvements
- to enable infill development and redevelopment
- **2.3:** Create attractive streets
- **2.5:** Respect existing natural systems and maximize their benefit to the plan

**4. Land Use Plan Goals**

- **4.2:** Recommend new medium density single family and high density multifamily residential neighborhoods near Salado Creek to supplement existing ones

**6. Size of Tract:**

The 12.088-acre site is of sufficient size to accommodate the proposed three hundred (300) residential multifamily dwelling units.

**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 there are no objections to this request.

“IDZ-2” holds the applicant to the submitted site plan with a density of 50 units per acre and caps the height at 4-stories. The proposed units are 4-stories maximum.

The applicant is requesting to rezone from “C-2” and “R-5” to “IDZ-2”, to allow for a multifamily residential complex with up to 300 dwelling units (or up to 50 units per acre).