



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-2869

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 4/2/2019

**Title:** ZONING CASE # Z-2019-10700037 (Council District 2): A request for a change in zoning from "I-1 MLOD-3 MLR-2 AHOD" General Industrial Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District and "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District to "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District out of 39.114 acres out of NCB 17630, generally located at the intersection of Rittiman Road and Seguin Road. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600012)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700037

(Associated Plan Amendment Case PA-2019-11600012)

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-3 MLR-2 AHOD" General Industrial Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District and "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 2, 2019

**Case Manager:** Dominic Silva, Planner

**Property Owner:** HEB, LP (C/O HEB CO GP, LLC, General Partner)

**Applicant:** Pulte Group (C/O Sean Miller, Director of Land Acquisition)

**Representative:** Brown & Ortiz, P.C.

**Location:** Generally located at the intersection of Rittiman Road and Seguin Road

**Legal Description:** 39.114 acres on NCB 17630

**Total Acreage:** 39.114

**Notices Mailed**

**Owners of Property within 200 feet:** 34

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The subject properties were not included in the original 36 square miles of the City of San Antonio and were annexed by Ordinance 61619, dated December 30, 1985. The property was zoned from Temporary "R-1" Residential District to "I-1" Light Industry District by Ordinance 61197, dated August 8, 1985.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Retail

**Direction:** East

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

**Current Land Uses:** Retail

**Direction:** South

**Current Base Zoning:** "C-3"

**Current Land Uses:** Vacant

**Direction:** West

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

**Current Land Uses:** Pallet Supplier

**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-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:** FM 78

**Existing Character:** Primary Arterial A

**Proposed Changes:** None Known

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

Bus routes served: 21, 630

**Thoroughfare:** Rittiman Road

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known

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

Bus routes served: 630, 631, 21

**Thoroughfare:** Seguin Road

**Existing Character:** Minor

**Proposed Changes:** None Known

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

Bus routes served: 630, 631, 21

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required.

**Parking Information:** Residential: 1 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject properties retaining the present zoning district designations. Examples of permitted uses within "I-1" are: auto & light truck auction, truck stop, wrecker services, abrasives manufacturing, food & drug manufacturing, sand & gravel storage and sales, outdoor flea market. Examples of permitted uses within "C-3" are: auto repair & sales, hotel, dry cleaning, tattoo parlor, home improvement center, bar/tavern, and a variety of retail.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is within the NE I-35 and Loop 410 Regional Center and ½ a mile from a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 property is located within the IH-10 East Corridor Perimeter Plan, and is currently designated as “Light Industrial” and “Community Commercial” in the future land use component of the plan. The requested “R-4” base zoning district is not consistent with the future land use designation. The applicant is requesting a plan amendment to “Low Density Residential,” Staff recommends Approval. The Planning Commission recommendation is pending the April 10, 2019 hearing.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed development of single-family residential lots is an appropriate use for the area.

**3. Suitability as Presently Zoned:**

The current “I-1” General Industrial District and “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “R-4” is a less intensive use and is suitable for the area.

**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 rezoning request does not appear to conflict with the land use goals and strategies of the IH-10 East Corridor Perimeter Plan.

IH-10 East Corridor Perimeter Plan:

Goal 1: Utilize city resources and authority to manage growth and development. Based on a comprehensive land use plan, encourage more intensive development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.

**6. Size of Tract:**

The subject property is 39.114 acres, which would adequately support residential single-family uses.

**7. Other Factors:**

None.