



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-3964

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/6/2020

**Title:** ZONING CASE Z-2020-10700077 (Council District 2): Ordinance amending the Zoning District Boundary from "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, and "I-1 MLOD-3 MLR-2 AHOD" General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 27.608 acres and "RM-4 MLOD-3 MLR-2 AHOD" Residential Mixed Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Airport Hazard Overlay District on 19.017 acres, on 46.625 acres out of NCB 16569, generally located at 9400 block of Green Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment.(Associated Plan Amendment PA-2020-11600023)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Metes and Bounds, 5. Ordinance 2020-08-06-0488

Date	Ver.	Action By	Action	Result
8/6/2020	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2020-10700077

(Associated Plan Amendment PA-2020-11600023)

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-3 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, and "I-1 MLOD-3 MLR-2 AHOD" General Industrial Martindale Army Airfield Military Lighting Overlay 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 Overlay Military Lighting Region 2 Airport Hazard Overlay District on 27.61 acres and "RM-4 MLOD-3 MLR-2 AHOD" Residential Mixed Martindale Army Airfield Military Lighting Overlay Military

Lighting Region 2 Airport Hazard Overlay Airport Hazard Overlay District on 19.02 acres

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 2, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Copperhead Properties

**Applicant:** Copperhead Properties

**Representative:** Patrick Christensen

**Location:** 9400 block of Green Road

**Legal Description:** 46.625 acres out of NCB 16569

**Total Acreage:** 46.625

**Notices Mailed**

**Owners of Property within 200 feet:** 4

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

**Applicable Agencies:** Martindale Army Airfield

**Property Details**

**Property History:** The subject property was annexed into the city on August 31, 2017 by Ordinance 201708310622 under the base zoning of “C-3” and “R-4”. The Industrial portion of the property was rezoned to “I-1” on September 6, 2018 by Ordinance 201809060693.

**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-3”

**Current Land Uses:** Agricultural

**Direction:** East

**Current Base Zoning:** “C-3”

**Current Land Uses:** Agricultural

**Direction:** South

**Current Base Zoning:** “OCL”

**Current Land Uses:** Agricultural

**Direction:** West

**Current Base Zoning:** “OCL”

**Current Land Uses:** Agricultural

### **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:** Green Road

**Existing Character:** Local

**Proposed Changes:** Local

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is under determination at this time.

**Parking Information:** The minimum parking requirement for single-family dwellings is 1 space per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The present zoning designation of "C-3" General Commercial district is designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

“I-1” The general industrial district accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**Proposed:** The proposed “R-4” allows a single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

The proposed “RM-4” allows a single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

### **FISCAL IMPACT:**

None.

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

The property is not within a regional center or a premium transit corridor.

**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 IH-10 East Corridor Perimeter Plan and is currently designated as “Regional Commercial” and “Industrial” in the future land use component of the plan. The requested “R-4” and “RM-4” base zoning district are not consistent with the future land use designation. The applicant is seeking a Plan Amendment to the “Medium Density Residential” and “Low Density Residential” land use designation. Staff and Planning Commission recommend Approval.

**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.

**3. Suitability as Presently Zoned:**

The current “I-1” General Industrial District is not an appropriate zoning for the property and surrounding area. The proposed “R-4” and “RM-4” is a more appropriate as a transition to the existing agricultural homesteads. Further, it is located along a major highway, IH-10.

**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 IH -10 East Corridor Perimeter Plan:

Goal 3: Compatibility of Land Uses

Improve the quality of life and safety of residents of the IH 10 East Perimeter Planning area by addressing incompatible land uses.

San Antonio Tomorrow Comprehensive Plan Goals:

Housing Goal 2 -A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.

**6. Size of Tract:**

The subject property is 46.625 acres, which could reasonably accommodate the requested residential uses.

**7. Other Factors:**

The applicant plans to construct approximately 300 dwellings.

The subject property is located within the Martindale Army Air Field 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 this request.