



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4759

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/20/2020

**Title:** ZONING CASE Z-2020-10700134 CD (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 CD MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Vocational Trade (Outside Storage and Training Area Permitted) on Lot 1A, NCB 10746, located at 2747 Rigsby Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2020-08-20-0572

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2020-10700134  
(Plan Amendment Case PA-2020-11600037)

**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 CD MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Vocational Trade School (Outside Storage and Training Area Permitted).

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 21, 2020

**Case Manager:** Victoria Castro, Planner

**Property Owner:** Samuel Y Araya and Genet Teferi

**Applicant:** Samuel Y Araya and Genet Teferi

**Representative:** Samuel Y Araya and Genet Teferi

**Location:** 2747 Rigsby Avenue

**Legal Description:** Lot 1A, NCB 10746

**Total Acreage:** 2.42

**Notices Mailed**

**Owners of Property within 200 feet:** 17

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

**Applicable Agencies:** Martindale Army Airfield Base

**Property Details**

**Property History:** The property was annexed by Ordinance 18115 on September 25, 1952 and zoned Temporary "A" Single Family District. The subject property was rezoned in 1965, from Temporary "A" Single Family District to "R-5" Single Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-5" Single Family Residence District converted to the current "R-5" Residential Single-Family District.

**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:** "R-5"

**Current Land Uses:** Vacant Land

**Direction:** East

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

**Current Land Uses:** City Of San Antonio Bulk Waste

**Direction:** South

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

**Current Land Uses:** Triple R DC Experts Auto Repair, Trac-Work Inc. Railroad Contactor and Vacant Office Building

**Direction:** West

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

**Current Land Uses:** Vacant Land, Vacant Office / Multi-Family Residences and Single-Family Residences

**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:** Primary Arterial A

**Proposed Changes:** None

**Thoroughfare:** Boulder Avenue

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** 43, 44, 67, 251 and 275

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

Rigsby Avenue is identified on the City's Major Thoroughfare Plan as a Primary Arterial Type "A" (120' ROW). Right of Way may be required.

**Parking Information:** The parking requirement for a school is 1 space per 4 students.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning district designation of "R-5" is designed to allow Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

**Proposed:** The proposed zoning district designation of "C-2 CD" is designed to accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "CD" Conditional Use will allow all "C-2" uses, in addition a Vocational Trade School (Outside Storage and Training Area Permitted).

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-1) 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 "Low Density Mixed Use" in the land use component of the plan. The requested "C-2" base zoning district is not consistent with the adopted land use designation. The applicant is requesting a Plan Amendment to change the future land use to "Community Commercial". 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.

**3. Suitability as Presently Zoned:**

The existing "R-5" base zoning district is appropriate for the surrounding area. The proposed "C-2 CD" would allow a Vocational Trade School (Outside Storage and Training Area Permitted), which is also appropriate for the surrounding area, since Rigsby Avenue is mainly composed of commercial businesses.

**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 Eastern Triangle Community Plan, which encourages the following:

Goal 9: Promote diversification of businesses and services

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

Goal 10: Grow an educated and well-trained local workforce

Objective 10.3: Encourage local job skill programs to diversity employment opportunities as well as matching job skill education with the local job market.

**6. Size of Tract:**

The 2.42 acre site is of sufficient size to accommodate the proposed commercial development.

**7. Other Factors:**

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.

The applicant is requesting to rezone from "R-5" to "C-2 CD", to allow for a Vocational Trade School (Outside Storage and Training Area Permitted).

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.