



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-2402

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/1/2021

**Title:** ZONING CASE Z-2020-10700299 (Council District 2): Ordinance amending the Zoning District Boundary from "NP-10 MLOD-3 MLR-1" Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "NP-10 MLOD-3 MLR-1 AHOD" Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3NA MLOD-3 MLR-1" General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "L MLOD-3 MLR-1" Light Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "L MLOD-3 MLR-1 AHOD" Light Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District (All Overlays Remain the Same) on 12.036 acres out of NCB 10615, located at 418 Southeast Loop 410. Staff and Zoning Commission recommend Approval. (Associated Plan Amendment PA2020-11600079) (Continued from March 18, 2021)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Metes and Bounds

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

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2020-10700299  
(Associated Plan Amendment PA2020-11600079)

**SUMMARY:**

**Current Zoning:** "NP-10 MLOD-3 MLR-1" Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "NP-10 MLOD-3 MLR-1 AHOD" Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3NA MLOD-3 MLR-1" General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "L MLOD-3 MLR-1" Light Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "L MLOD-3 MLR-1 AHOD" Light Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District (All Overlays Remain the Same)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 2, 2021

**Case Manager:** Justin Malone, Planner

**Property Owner:** Boralis Inc.

**Applicant:** Oakmont Industrial Group IV, LLC

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

**Location:** 418 SE Loop 410

**Legal Description:** 12.036 acres out of NCB 10615

**Total Acreage:** 12.036 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 10

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

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

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on December 29, 1986, established by Ordinance 64022 and was zoned Temporary “R-1” Single Family Residence District. The properties were rezoned from Temporary “R-1” Single Family Residence District to “R-A” Residence-Agriculture District and “B-3NA” Business District, Nonalcoholic Sales District by Ordinance 70527, dated November 2, 1989. The portion of the subject property converted from “R-A” Residence-Agriculture District to “NP-10” Neighborhood Preservation District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001. The portion of the subject property zoned “B-3NA” Business District, Nonalcoholic Sales to “C-3NA” General Commercial Nonalcoholic Sales District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 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:** “I-1”

**Current Land Uses:** Freight Forwarding Service, Alternative Fuel Station

**Direction:** East

**Current Base Zoning:** “C-3 CD” and “NP-10”

**Current Land Uses:** Vacant Land

**Direction:** West

**Current Base Zoning:** UZROW

**Current Land Uses:** Expressway

**Direction:** South

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

**Current Land Uses:** Trailer Rental Service, Construction Equipment Supplier, Vacant Land

**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:** Southeast Loop 410

**Existing Character:** Highway

**Proposed Changes:** None

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

**Routes Served:** None

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

**Parking Information:** The parking minimum for a warehouse development is 1 space per 5,000 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current "NP-10" Neighborhood Preservation district allows for uses that are the same as within the "R-6" zoning district for Residential Single-family dwelling (detached) with a minimum lot size of 10,000 square feet. The current "C-3" General Commercial Districts permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of development options from residential to commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are 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.

**Proposed:** The proposed "L" Light Industrial District provides for a mix of light manufacturing uses, office park, flex-space with limited retail and service uses that serve the industrial development in the zone. Examples of permitted uses: auto sales & repair, wrecker services, cabinet/carpenter shop, can recycle collection station (no shredding), lumber yard and building materials, mobile vending base operations, machine shop, equipment & event rentals, tree service, moving company.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

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

**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 “Community Commercial” and “Parks Open Space” in the future land use component of the plan. The requested “L” Light Industrial base zoning districts is not consistent with the future land use designation. The applicant seeks a Plan Amendment to “Business Park.” Staff and Planning Commission recommend Approval.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed “L” Light Industrial is too intense for the area. A lot of the area is currently zoned “I-1” General Industrial. It appears that the land use was changed as part of the adoption of the Eastern Triangle Plan, but there was no follow through on the rezoning of the properties to match the designated “Business Park” land use.

**3. Suitability as Presently Zoned:**

The current “NP-10” Neighborhood Preservation District is not consistent with zoning and land uses in the area which are more general commercial and light industrial in nature. The existing “C-3” General Commercial zoning is appropriate for the property and surrounding area. The proposed “L” Light Industrial is also consistent with the existing “B-3” General Commercial zoning in the area and with the “Business Park” land use. The subject site has good vehicular access from the Southeast Loop 410 service road which is appropriate for a Warehouse with Distribution Center.

**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:

Economic Development-

Goal 7: Create a community wide economic development plan

- 7.2: Attract new businesses to the Eastern Triangle

Goal 8: Expand and build thriving commercial corridors

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

**6. Size of Tract:**

The subject property is 12.036 acres, which could reasonably accommodate a warehouse distribution center.

**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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.