



# City of San Antonio

## Agenda Memorandum

**File Number:**20-5300

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**Agenda Item Number:** Z-3.

**Agenda Date:** 9/17/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2020-10700113

(Associated Plan Amendment PA-2020-11600028)

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District and "R-6 CD MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Multi-Family Dwellings not to exceed three units per acre or a total of 3 units

**Requested Zoning:** "C-2 MLOD-3 MLR-2" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

**BACKGROUND INFORMATION:**

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

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Sara Martinez

**Applicant:** Drought, Drought & Bobbitt LLP

**Representative:** Matthew Badders

**Location:** 2000 block of North Walters

**Legal Description:** Lots 1,2,3,4,7,8,9,10, Block 3, NCB 1178

**Total Acreage:** 1.132

## **Notices Mailed**

**Owners of Property within 200 feet:** 44

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance

**Applicable Agencies:** Fort Sam Houston, Martindale Air Force Base, Texas Department of Transportation

## **Property Details**

**Property History:** The property is part of the original 36 square miles of the City of San Antonio and was originally zoned "L" Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the properties zoned "L" converted to "I-2" Heavy Industrial District. In the Government Hill Large area Rezoning dated October 16, 2008, it was rezoned to Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed ten units per acre or a total of 3 units, and "R-6" Residential Single-Family District, per Ordinance 2008 0955.

**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-6"

**Current Land Uses:** Single-Family Dwellings

**Direction:** East

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

**Current Land Uses:** Vacant, Roadway

**Direction:** South

**Current Base Zoning:** "R-6 CD", "R-6"

**Current Land Uses:** Vacant, multiple dwellings

**Direction:** West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Dwellings

## **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:** Walters

**Existing Character:** Minor Arterial

**Proposed Changes:** None

**Thoroughfare:** Edgar

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Reno

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 16, 21, 22, 222, 515

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** Parking minimums vary for all commercial uses.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** “R-6” districts provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed “C-2” Commercial District accommodates 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

**FISCAL IMPACT:**

None.

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

The property is not located within a Regional Center or located within half a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment. Zoning Commission (7-3) recommends Denial.

**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 Government Hill Neighborhood Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Mixed Use”. Staff recommends Approval. Planning Commission recommendation pending the July 8 hearing.

**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. Though nearby to residential, the site is a self-contained block, adjacent to large roadways that allow access that is separated from the neighborhood. The proposed additional block of “C-2” would be consistent with the area and commercial/mixed use corridor along Walters Street.

### **3. Suitability as Presently Zoned:**

The current “R-6” Residential Single Family is not appropriate for the property as it is adjacent to the large roadways of North Walters Street and Interstate 35. The proposed “C-2” Commercial District is appropriate because the proposal represents a contained commercial block near the intersection of two commercial corridors. The large site is an appropriate size for the requested “C-2”.

### **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 Government Hill Neighborhood Plan:

Goals:

Redevelop and revitalize the neighborhood.

Objective: To encourage and support any revitalization and redevelopment efforts consistent with this plan.

Strategies:

- Market the vacant parcels of land to prospective homeowners and businesses.
- Recruit desired businesses and the expansion of existing businesses in the neighborhood.

Revitalization Strategy:

- Develop/encourage new businesses along Walters St. and New Braunfels Ave

### **6. Size of Tract:**

The subject property is 1.132 acres, which could reasonably accommodate commercial uses.

### **7. Other Factors:**

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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 JB SA were notified of the proposed request.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.