



# City of San Antonio

## Agenda Memorandum

**File Number:**20-5597

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**Agenda Item Number:** Z-4.

**Agenda Date:** 10/1/2020

**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-2020-10700177

(Associated Plan Amendment PA-2020-11600050)

**SUMMARY:**

**Current Zoning:** "PUD I-1 MLOD-3 MLR-1" Planned Unit Development General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District, "PUD C-3 MLOD-3 MLR-1" Planned Unit Development General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District, "PUD C-3 NA MLOD-3 MLR-1" Planned Unit Development General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Region 1 District and "PUD C-1 MLOD-3 MLR-1" Planned Unit Development Light Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "MF-25 MLOD-3 MLR-1" Low Density Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 1, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Boralis USA, Inc.

**Applicant:** NRP Group LLC

**Representative:** Brown and Ortiz, PC

**Location:** Generally located at 439 SE Loop 410

**Legal Description:** 15.082 acres out of NCB 10615

**Total Acreage:** 15.082 acres

**Notices Mailed**

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

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

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

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 19, 1957, established by Ordinance 25568 and was zoned "Temporary A" Single Family District. A portion of the property was rezoned to "I-1" Light Industry District by Ordinance 43917, dated June 13, 1974. Another portion of the portion of the property zoned "Temporary A" Single Family District was rezoned to "B-3" Business District by Ordinance 60504 dated April 4, 1985. The subject property converted from "B-3" and "I-1" to "C-3" General Commercial District and "I-1" General Industrial with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 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:** "C-3NA", "R-5", "I-1"

**Current Land Uses:** Vacant Land, Single Family Residential, Truck Leasing

**Direction:** East

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

**Current Land Uses:** Federal Highway, Vacant Land

**Direction:** West

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

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:** "I-1 PUD", "C-3 PUD", "I-1"

**Current Land Uses:** Vacant Land, Tire Service

**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:** SE 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 (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The parking minimum for a multifamily development is 1.5 spaces per unit.

**ISSUE:**

None

**ALTERNATIVES:**

**Current:** “PUD” Planned Unit Developments provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties.

The current zoning district designation of “I-1” 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.

The “C-3” General Commercial districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

The “C-1” Light Commercial districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail - no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed:** Any uses permitted plus in MF-18 plus college fraternity dwelling, off-campus school dormitory/housing, but with a maximum density of 25 units per acre.

If approved the applicant intends to construct 375 multi-family units.

**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 (9-0) recommend Approval, pending

**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 Residential” and “High Density Mixed Use” in the future land use component of the plan. The requested “MF-25” base zoning districts are not consistent with the future land use designation. The applicant is seeking a Plan Amendment to “High Density Residential”. 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. The proposed changes would reduce potential impacts from the existing “I-1” General Industrial and “C-3” General Industrial zoning.

**3. Suitability as Presently Zoned:**

The current “C-3” and “I-1” zonings are not appropriate for the property and surrounding area. The proposed “MF-25” is also an appropriate zoning for the surrounding area especially as a transition and buffer to the single-family to the north along Creswell and Waycross. The property also has good vehicular access and proximity to education and employment centers, which need residential options to provide housing for residents in 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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Eastern Triangle Community Plan:

**HOUSING AND NEIGHBORHOOD**

**OVERALL GOAL:** A well-maintained community with a diverse housing stock that meets the needs of current and future residents through all stages of life

**Goal 12:** Develop more good, very good, and excellent quality or better constructed housing for all residents from young adults to the elderly, within the planning area

- Objective 12.1: Encourage the development of diverse housing options near schools for families with school age children
- Objective 12.3: Increase the diversity of housing for young adults to live, work, and interact within the community

**Goal 13:** Encourage well-maintained neighborhoods and housing stock

- Objective 13.2: Cooperate between neighbors to improve the overall appearance of the community
- Objective 13.4: Ensure that new housing constructed in the Eastern Triangle is well built and serves to enhance the community’s image

Goal 16: Construct housing that incorporates access to transit and public amenities

- Objective 16.1: Improve access and amenities within and nearby residential neighborhoods

**6. Size of Tract:**

The subject property is 15.082 acres, which could reasonably accommodate multifamily residential uses.

**7. Other Factors:**

The applicant is applying to build multifamily housing with 375 units on the 15-acre site.

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.