



City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 16, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2024-10700273 CD

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-3 MLR-1 AHOD" General Commercial Martindale Army Air Field Military Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD MLOD-3 MLR-1 AHOD" Commercial Martindale Army Air Field Military Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Manufactured Homes/Oversize Vehicles Sales, Service and Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 3, 2024.

**Case Manager:** Eradio Gomez, Zoning Senior Planner

**Property Owner:** Bexar KJS Group, LLC

**Applicant:** Bexar KJS Group, LLC

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** generally located in the 4000 block of Binz Engleman Road

**Legal Description:** on 3.069 acres out of NCB 10599

**Total Acreage:** 3.069 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 6

**Registered Neighborhood Associations within 200 feet:** N/A

**City-Wide Community Organizations:** T.H.U.G.G.I.N. for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous

**Applicable Agencies:** Martindale Army Air Field, Fort Sam Houston, Planning Department

### **Property Details**

**Property History:** The property was annexed into the of City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the existing "B-3" Business District converted into the current "C-3" General Commercial District.

**Code & Permitting Details:** There is no code enforcement of permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3"

**Current Land Uses:** Towing Company

**Direction:** South

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

**Current Land Uses:** Trucking Company, Single-Family Dwellings

**Direction:** East

**Current Base Zoning:** OCL

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

**Direction:** West

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

**Current Land Uses:** Commercial Uses

### **Overlay District Information:**

The "MLOD-3" Martindale Army Airfield Military Lighting Overlay District 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.

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Binz-Engleman Road

**Existing Character:** Minor Secondary Arterial A

**Proposed Changes:** None known.

**Thoroughfare:** Springfield Road

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 21

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for Manufactured Home/Oversized Vehicle Sales, Service, or Storage is 1 per 500 sf GFA of sales and service building and the maximum parking requirement is 1 per 375 sf GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-3" 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.

Proposed Zoning: "C-2 CD" Commercial Districts 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 Conditional Use is for Manufactured Homes/Oversize Vehicles Sales, Service and Storage.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Fort Sam Houston Regional Center but is not within ½ a mile from a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

1. **Consistency:** The subject property is located within IH-10 East Perimeter Plan, adopted in February 2001, updated in March 2008, and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2 CD” base zoning district is consistent with the future land use designation.
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 use is consistent with the established development pattern of the surrounding area. Surrounding properties are zoned “I-1” General Industrial District and “C-3” General Commercial District.
3. **Suitability as Presently Zoned:** The existing “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” Commercial District is also an appropriate zoning for the property and surrounding area. Downzoning to a lower intensity base zoning district would provide a more appropriate buffer from the nearby residential community. Plus, the applicant will have to adhere to the proposed site plan required for a Conditional Use, and any deviation from the plan could potentially warrant additional council consideration.
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 appear to conflict with any public policy objectives. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
  - H P30: Ensure infill development is compatible with existing neighborhoods.
  - JEC Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.

Relevant Goals and Policies of the IH-10 East Corridor Perimeter Plan may include:

- 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.

- 6. Size of Tract:** The 3.069-acre site is of sufficient size to accommodate the proposed commercial development.
- 7. Other Factors:** 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. The zoning change request is to allow for Manufactured Homes/Oversize Vehicles Sales, Service and Storage.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

The subject property is located within the Martindale Army Airfield 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 subject property is located within the Fort Sam Houston 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.