



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 15, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700116 CD

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "R-5 CD MLOD-3 MLR-1" Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 16, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Canta Ransas, LLC

**Applicant:** UP Engineering + Surveying

**Representative:** UP Engineering + Surveying

**Location:** Generally located in the 200 block of Creswell Drive

**Legal Description:** Lot 7, NCB 12883

**Total Acreage:** 0.9810 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 22

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

**Applicable Agencies:** Martindale Army Airfield, Planning Department

### **Property Details**

**Property History:** Subject property was annexed into the City of San Antonio by Ordinance 25568, dated September 18, 1957, and zoned "A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District converted to the current "R-5" Residential Single-Family District.

### **Code & Permitting Details:**

Complaint – INV-COM-INV21-22700016 – January 2021

Trees Investigation – INV-TRE-INV21-24000009 – January 2021

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

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

**Direction:** North

**Current Base Zoning:** R-5, MH, C-1

**Current Land Uses:** Residential Dwellings, Mobile Homes, Vacant

**Direction:** South

**Current Base Zoning:** R-5

**Current Land Uses:** Residential Dwellings

**Direction:** East

**Current Base Zoning:** MH, C-2CD, R-5

**Current Land Uses:** Construction Trades Contractor Facility, Mobile Homes, Vacant

**Direction:** West

**Current Base Zoning:** R-5, C-3NA

**Current Land Uses:** Residential Dwellings, Church, Vacant

### **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.

### **Special District Information:**

N/A

### **Transportation**

**Thoroughfare:** Creswell Drive

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** Waycross Lane

**Existing Character:** Local

**Proposed Changes:** None known

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

**Routes Served:** 25

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for “Professional Office” is 1 parking space per 300 sf GFA.

### **ISSUE:**

None

### **ALTERNATIVES:**

Current Zoning: “R-5” Residential Single-Family District permits 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 Zoning: “R-5 CD” Residential Single-Family permits 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.

The “CD” Conditional Use is for Professional Office.

### **FISCAL IMPACT:**

None

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

Subject property is not located within a Regional Center or 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 the Eastern Triangle Community Plan, adopted May 21, 2009, and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested "R-5" 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. There is “C-2 CD” Commercial District with a Conditional Use for Construction Trades Contractor, “MH” Manufactured Housing District and “C-3NA” General Commercial Nonalcoholic Sales District zoning in the area.
3. **Suitability as Presently Zoned:** The existing "R-5" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "R-5 CD" Residential Single-Family District with a Conditional Use for Professional Office is also appropriate. The proposed zoning allows for the consideration of a Professional Office, a light commercial use, while retaining the residential base zoning district. The area is comprised of residential and commercial uses, making the proposal consistent with what is currently present. The prescribed site plan would prevent expansion of the building footprint and deviation from the approved document 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 Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.Relevant Goals and Policies of the Eastern Triangle Community Plan may include:
  - Objective 7.2: Attract new businesses to the Eastern Triangle
  - Goal 9: Promote diversification of businesses and services
  - Objective 9.1: Increase the range of family-oriented businesses and services within the Eastern Triangle.
  - Objective 12.3: Increase the diversity of housing for young adults to live, work, and interact within the community.
6. **Size of Tract:** The 0.9810-acre site is of sufficient size to accommodate the proposed commercial development.
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, 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 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 applicant is rezoning to develop Professional Office.

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

The following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.