



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 5, 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-2024-10700240

(Associated Plan Amendment Case PA-2024-11600076)

**SUMMARY:**

**Current Zoning:** "MH MLOD-3 MLR-2 AHOD" Manufactured Housing Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Edgar A. Aguilar

**Applicant:** Harun Rashid, PE, RPLS, MHR Engineering

**Representative:** Mohammed Arrafi/ MHR Engineering

**Location:** 9208-9226 Newcombe Drive

**Legal Description:** Lots 8-11, Block 1, NCB 16533

**Total Acreage:** 0.8264 acres

## **Notices Mailed**

**Owners of Property within 200 feet:** 25

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

**Applicable Agencies:** Martindale, Randolph, Planning Department, Public Works

## **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 43744, dated June 23, 1984, and zoned "R-4" Manufactured Home Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-4" Manufactured Home District converted to the current "MH" Manufactured Home District.

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

**Topography:** A portion of the subject property has inclusion in a floodplain.

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

**Direction:** North

**Current Base Zoning:** "MH"

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

**Direction:** South

**Current Base Zoning:** "C-2 CD," "C-3"

**Current Land Uses:** Diesel Engine Repair Service, Granite Supplier, Truck Repair Shop

**Direction:** East

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

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

**Direction:** West

**Current Base Zoning:** "MH"

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

## **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:**

The “MH” Manufactured Housing District and “MHC” Manufactured Housing Conventional District is a special district to provide suitable locations for HUD-code manufactured homes. HUD-code manufactured homes may be located on individual lots outside of a manufactured home park provided they are permanently installed and limited to one home per lot.

**Transportation**

**Thoroughfare:** Newcombe Drive

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Lincolnwood Drive

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Interstate Highway 10 Frontage Road

**Existing Character:** Interstate Highway Frontage Road

**Proposed Changes:** None known.

**Public Transit:** There no VIA bus routes within a ½ mile of the subject property.

**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 auto repair is 1 parking space per 500 sf GFA including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay and the maximum [parking requirement is 1 parking space per 375 sf GFA including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** “MH” Manufactured Housing Districts are to provide suitable locations for individual HUD-code manufactured homes. Although this district still exists, it is no longer approved for new properties.

**Proposed Zoning:** “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.

**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 recommends Denial.

**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 and updated in March 2008, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-3” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Commercial”. Staff recommends Denial. Planning Commission recommendation pending the November 13, 2024 hearing.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. Surrounding properties are “MH” Manufactured Housing District with single-family uses.
3. **Suitability as Presently Zoned:** The existing “MH” Manufactured Housing District is an appropriate zoning for the property and surrounding area. The proposed “C-3” General Commercial District is not an appropriate zoning for the property and surrounding area. The proposed zoning will introduce commercial encroachment into an established residential area. The subject property is abutting “C-3” zoned property, however their access is along an interstate highway frontage road, whereas the subject property’s access is off a local, residential street.
4. **Health, Safety and Welfare:** Staff has 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 0.8264-acre site is not of sufficient size to accommodate the proposed residential and commercial development.
7. **Other Factors:** The zoning change request is to allow for auto repair.

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 Randolph 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.

Lots 9202 through 9208 are inundated by the FEMA effective floodplain. The properties are currently zoned MH which Public Works would not currently allow any residential of any kind to be developed on said lots. PW supports the change of use. It does appear, however, that there is not paved access to the four lots in question. Unflooded public access must be made available to the properties. This may be provided and dedicated during the platting process. Please also note that the draft best available models does show all four properties to be completely inundated by the floodplain. A more detailed flood study to include a Conditional Letter of Map Revision (CLOMR) and/or Letter of Map Revision (LOMR) may be required at time of platting. Please coordinate with PW as necessary prior to any plat applications to discuss the floodplain requirements. Please coordinate with Sabrina Santiago at 210.207.0182 or [Sabrina.santiago@sanantonio.gov](mailto:Sabrina.santiago@sanantonio.gov).