



City of San Antonio

Agenda Memorandum

Agenda Date: November 5, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett White

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:

ZONING CASE Z-2024-10700067

(Associated Plan Amendment PA-2024-11600040)

SUMMARY:

Current Zoning: "C-2 MLOD-3 MLR-2" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District, "NP-10" Neighborhood Preservation District, "NP-10 MLOD-3 MLR-2" Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District, and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District, and "OCL" Outside City Limits

Requested Zoning: "MXD MLOD-3 MLR-2" Mixed Use Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a maximum density of 40 dwelling units per acre, "MXD" Mixed Use District with a maximum density of 40 dwelling units per acre, and "MXD AHOD" Mixed Use Airport Hazard Overlay District with a maximum density of 40 dwelling units per acre

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 5, 2024

Case Manager: Ann Benavidez, Senior Planner

Property Owner: R City Developments, Inc.

Applicant: City of San Antonio

Representative: Ortiz McKnight, PLLC

Location: Generally located southeast of the intersection of Loop 410 and New Sulphur Springs Road

Legal Description: 1,806.4 acres out of CB 5132, CB 5151, CB 5152, and NCB 10846, and 48.2 acres out of CB 5132

Total Acreage: 1854.6 acres

Notices Mailed

Owners of Property within 200 feet: 116

Registered Neighborhood Associations within 200 feet: There are no registered Neighborhood Associations within 200 feet.

Applicable Agencies: None.

Property Details

Property History: The westernmost portion of 1,806.4 acres of land, (subject area), was annexed into the City of San Antonio by Ordinance 61628, dated December 29, 1985. The remaining portion of the subject area within City limits was annexed by Ordinance 64027 dated December 30, 1986. Each area was originally zoned Temporary "R-1" Single-Family Residence District. The properties were rezoned by Ordinance 70570, dated November 9, 1989, to "B-2" Business District and "R-A" Residence Agricultural District. Under the 2001 Unified Development Code, established by Ordinance 93881 and dated May 03, 2001, the portion of the property zoned "B-2" Business District converted to the current "C-2" Commercial District, and the portion of the property zoned "R-A" Residence Agricultural District converted to the current "NP-10" Neighborhood Preservation District.

The remaining portion of the subject area (Annexation Area) is in the City's Extraterritorial Jurisdiction (ETJ). R City Developments, Inc. is the full and entire owner of the subject area and has requested annexation by the City. The petition is in accordance with Section 43.0671 of the Texas Local Government Code, whereby the City has the authority to annex an area if the landowner requests annexation. The newly annexed area will gain the benefits of being within the City, such as trash service, police and fire service, and other City services already provided to surrounding properties. Additionally, the Annexation Area meets the statutory requirements for full purpose annexation, by the City, as it: (1) is within the City's ETJ; and (2) is adjacent and contiguous to the City's corporate limits.

Topography: The property does not include any abnormal physical features such as slope; there is incursion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "I-1", "C-2", "MH", "PUD", "R-6", "R-4"

Current Land Uses: Concrete contractor, Manufactured Home Subdivision, Beauty Salon, Retail Establishment, Convenience Store, Single-Family Residential dwellings

Direction: South

Current Base Zoning: “OCL”, “I-1”, “NP-10”

Current Land Uses: Single-Family Residential dwellings, Vacant

Direction: East

Current Base Zoning: “OCL”

Current Land Uses: School District Office, Gas utility company, Single-Family Residential dwellings, Vacant

Direction: West

Current Base Zoning: “I-1”, “R-5”, “C-3”

Current Land Uses: Highway, Construction Contractor Training Facility / Building Materials Supplier, Dialysis Center, Adult daycare center, Middle school, Elementary School, Auto Mechanic Establishment, Cremation facility, Construction Equipment rental facility

Overlay District Information:

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.

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:

The “MXD” Mixed-Use District is a special district designed to provide a concentrated mix of residential, retail, service, and office uses. A site plan is required for a rezoning to “MXD” that includes the location of the uses. A zoning review is performed by the Zoning Section of the Development Services Department during the review of the building permit.

Transportation

Thoroughfare: New Sulphur Springs Road

Existing Character: Secondary Arterial “Type A”

Proposed Changes: None known

Thoroughfare: South Foster Road

Existing Character: Secondary Arterial “Type A”

Proposed Changes: None known

Thoroughfare: Cacias Road

Existing Character: Local Road

Proposed Changes: None known

Thoroughfare: South WW White Road

Existing Character: Secondary Arterial “Type A”

Proposed Changes: None known

Thoroughfare: Lodi Road

Existing Character: Local Road

Proposed Changes: None known

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

Routes Served: 515

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 most retail and service-oriented uses is one (1) parking space per 300 square feet of gross floor area. The minimum parking requirement for multi-family uses is 1.5 spaces per unit. The minimum parking requirement for a single-family dwelling is one (1) parking space per unit. The minimum parking requirement for most light industrial uses is one (1) parking space per 1,500 square feet of gross floor area.

Per Section 35-341 of the Unified Development Code, the minimum off-street parking requirement may be reduced one (1) space for each on-street parking space located adjacent to the property zoned “MXD” Mixed Use District.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “NP-10” Neighborhood Preservation District uses are the same as within the “R-6” zoning district. Designed to protect existing platted subdivisions which are substantially developed with single-family detached dwelling units. (8,000 sq. ft. minimum lot size for NP-8, 10,000 sq. ft. minimum lot size for NP-10, and 15,000 sq. ft. minimum lot size for NP-15)

“C-2” 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 eastern portion of the subject area is not within City limits, and currently has no zoning assigned.

Proposed Zoning: “MXD” Mixed-Use Districts provide a concentrated mix of residential, retail, service, and office uses. The maximum proposed residential density is 40 units per acre.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center, nor is it located within a half-mile of a Premium Transit Corridor. The portion of the subject property located within city limits falls within the boundary of the Southeast Community Area Plan, adopted by City Council in December 2022.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

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

1. **Consistency:** The portion of the subject area inside City limits is located within the Southeast Community Area Plan and is currently designated as “Urban Mixed-Use” and “Business/Innovation Mixed-Use” in the future land use component of the plan. The requested “MXD” base zoning district is consistent with the future land use designations. A Plan Amendment has been requested to incorporate the Annexation Area into the adjacent Southeast Community Area Plan, and to assign “Urban Mixed-Use” and “Business/Innovation Mixed-Use” to the area. Further, a major mixed-use project was contemplated by the community during the planning process and supported for this site. Staff recommends approval of the Plan Amendment, and Planning Commission recommended approval of the Plan Amendment at their October 9, 2024 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. The proposed use is consistent with the established development pattern of the surrounding area. The property is largely undeveloped with some agricultural uses established on site and is located southeast of the intersection of New Sulphur Springs Road and Southeast Loop 410. The three additional areas that make up the intersection accommodate commercial, residential, and industrial land use which are compatible with the mix of uses proposed by the development. Furthermore, the only public right-of-way in function within the subject area is Lodi Road. This roadway could be characterized as sub-standard, and crosses through a small area in the northeast corner. The mixed-use proposal plans for additional roadways to provide adequate circulation within the development, which will also perpetuate connectivity in the greater area.
3. **Suitability as Presently Zoned:** The current “NP-10” Neighborhood Preservation District and “C-2” Commercial District are appropriate districts for the property and surrounding area. The proposed “MXD” Mixed-Use District with a maximum density of 40 dwelling units per acre is also appropriate. The “MXD” base zoning district allows for a mix of commercial, residential, and business park land use, all of which currently exist in the area. In addition to the Voluntary Annexation and Plan Amendment/Change of Zoning application, the property owner submitted a petition with the Neighborhood and Housing Services Department to establish a Tax Increment Reinvestment Zone (TIRZ) for this project. The TIRZ is a public

improvement funding mechanism that will assist in financing the mixed-use development. The mixed-use development will attract growth and investment to the area, which has been historically underutilized. The “MXD” base zoning district is more appropriate for the property.

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 supports the public policy objectives of the SA Tomorrow Southeast Community Area Plan:
 - Goal 4: Housing
 - Provide a variety of high-quality, mixed-income housing options that are well-maintained, complementary to the character of existing neighborhoods, and accommodating to all stages of life.
 - Goal 6: Mobility
 - Improve and enhance major corridors, public rights-of-way, transit facilities, trails, and greenways using innovative strategies to accommodate all modes of mobility and provide efficient, comfortable, and properly maintained connections to jobs, neighborhoods, and citywide destinations.
 - Strategy 2.2 (Regulatory and Policy)
 - Integrate new mixed-use zoning districts tailored to implementing the mixed-use land use categories adopted into the UDC, including Neighborhood Mixed-Use, Urban Mixed-Use, Regional Mixed-Use, Employment/Flex Mixed-Use, and Business/Innovation Mixed-Use.
 - Land Use Recommendation 1
 - Maintain residential and nonresidential densities that are consistent with historic patterns, to strengthen and preserve established neighborhoods.
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6. **Size of Tract:** The subject property is 1,854.6 Acres, which can reasonably accommodate the proposed mixed-use development.
7. **Other Factors** N/A