



City of San Antonio

Agenda Memorandum

Agenda Date: April 3, 2025

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:
ZONING CASE Z-2025-10700010

SUMMARY:

Current Zoning: "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "MXD MLOD-2 MLR-1 AHOD" Mixed-Use Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a maximum density of thirty-three (33) units per acre

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 4, 2025

Case Manager: Alexa Retana, Zoning Planner

Property Owner: Tibor Ritter and Robert Weiss

Applicant: NRP Properties, LLC

Representative: Ortiz McKnight, PLLC

Location: 6832 Marbach Road

Legal Description: 3.03 acres out of NCB 15569

Total Acreage: 3.03 acres

Notices Mailed

Owners of Property within 200 feet: 26

Registered Neighborhood Associations within 200 feet: N/A

City-Wide Community Organizations: Women in Film & Television San Antonio

Applicable Agencies: Lackland Air Force Base, Planning Department

Property Details

Property History: The property was annexed into the of City of San Antonio by Ordinance 41422, dated December 26, 1972, and zoned Temporary "R-1" Single-Family Residential District. The property was rezoned by Ordinance 47920, dated April 21, 1977, to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

Code & Permitting History:

There is no code enforcement or 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: R-6, R-5

Current Land Uses: Residential Dwellings

Direction: South

Current Base Zoning: MH

Current Land Uses: Mobile Home Park

Direction: East

Current Base Zoning: MF-33

Current Land Uses: School

Direction: West

Current Base Zoning: MF-33

Current Land Uses: Apartments

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-2" Lackland 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 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 will include 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: Marbach Road

Existing Character: Secondary Arterial Type A

Proposed Changes: None known

Thoroughfare: Pinn Road

Existing Character: Collector

Proposed Changes: None known

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

Routes Served: 612, 613, 615

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 Dwelling – Multi-Family is 1.5 spaces per unit. The minimum parking requirement for School – private/public prekindergarten is 1 per classroom.

ISSUE:

None.

ALTERNATIVES:

Current 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.

Proposed Zoning: “MXD” Mixed Use District provides a concentrated mix of residential, retail, service, and office uses.

The uses permitted by the “MXD” base zoning district would allow for a maximum density of 33 units per acre.

FISCAL IMPACT:

None.

PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:

The subject property is not located within a Regional Center or within 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 West/Southwest Sector Plan, adopted April 21, 2011, and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “MXD” 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 “MF-33” Multi-Family 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 "MXD" Mixed Use District with a maximum density of thirty-three (33) units per acre is also appropriate. The subject property is situated within a mix of commercial and residential developments and fronts Marbach Road, with adequate access to public transportation routes. Additionally, the proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city’s growing population at all income levels. The development will be held to a prescribed site plan, and any deviation from the approved site plan could 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 not appear to conflict with public policy. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan:
 - GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - GCF Policy 14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Relevant Goals and Objectives from the West/Southwest Sector Plan may include:

- Goal HOU-1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
 - o HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood
- Goal HOU-2: New housing developments locate near existing community facilities, schools, and physical infrastructure (e.g., streets, water, sewer, etc.) with sufficient capacity to serve new developments
- Goal EDU-1: Strong public schools and educational partnerships exist in the West/Southwest Sector
 - o EDU-1.1 Encourage the various independent school districts to site: elementary schools within residential neighborhoods within walking distance; middle schools at the periphery of residential neighborhoods where they are served by a collector street and bicycle networks; and high schools on the edge of residential neighborhoods, in locations served by a collector or arterial street, transit service, and pedestrian and bicycle networks

6. Size of Tract: The subject property is 3.03 acres, which can reasonably accommodate the proposed commercial development.

7. Other Factors: The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial and residential uses. The applicant is proposing 78 units.

The subject property is located within the Lackland AFB 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.