



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 21, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700089

(Associated Plan Amendment Case PA-2024-11600030)

**SUMMARY:**

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

**Requested Zoning:** "I-1 MLOD-3 MLR-2 AHOD" General Industrial Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 21, 2024

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

**Property Owner:** Rush Truck Centers of Texas, L.P.

**Applicant:** Rush Truck Centers of Texas, L.P.

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

**Location:** 8810 Interstate Highway 10 East

**Legal Description:** Lot 3, Block 7, NCB 16567

**Total Acreage:** 13.848

**Notices Mailed**

**Owners of Property within 200 feet:** 4

**Registered Neighborhood Associations within 200 feet:** None.

**Applicable Agencies:** Martindale/Randolph Air Force Base, Planning Department, Texas Department of Transportation

**Property Details**

**Property History:** The majority of the property was annexed into the City of San Antonio by Ordinance 61632, dated December 29, 1985, and zoned Temporary “R-1” Single-Family Residence District. The majority of the property was rezoned by Ordinance 70527, dated November 2, 1989, to “B-3” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-3” Business District converted to the current “C-3” General Commercial District. The southeast portion of the property was annexed into the City of San Antonio by Ordinance 2017-08-31-0622, dated August 30, 2017. The southeast portion of the property was rezoned by Ordinance 2017-08-31-0624, dated August 31, 2017, to “C-2” Commercial District.

**Code & Permitting Details:**

**REP-CRP-PMT23-35400381** - Minor Commercial Repair Permit – September 2023

**DEM-DEM-PMT23-39200364** – Demolition Permit – September 2023

**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:** “UZROW,” “C-3,” “C-2 CD,” “I-1 CD,” “I-1”

**Current Land Uses:** Interstate Highway 10, Truck and Trailer Repair, Trailer Sales, Truck Service

**Direction:** South

**Current Base Zoning:** “I-1,” “OCL”

**Current Land Uses:** Construction Company, Truck Dealer

**Direction:** East

**Current Base Zoning:** “C-2,” “C-3,” “I-1”

**Current Land Uses:** Truck Centers

**Direction:** West

**Current Base Zoning:** “UZROW,” “C-3,” “C-3 CD,” “I-1”

**Current Land Uses:** Interstate Highway 10, Truck Repair/Motor Service, Building Materials Supplier, Hotel

**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:**

N/A

**Transportation**

**Thoroughfare:** Interstate Highway 10 East Access Road

**Existing Character:** Access Road

**Proposed Changes:** None known.

**Thoroughfare:** Interstate Highway 10 East

**Existing Character:** Interstate

**Proposed Changes:** None known.

**Public Transit:** There are 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 required for “truck repair and maintenance” and “truck stop or laundry” is 1 per 500 sf GFA including service bays, wash tunnels, and retail areas, and the maximum allowed is 1 per 375 sf GFA including service bays, wash tunnels, and retail areas.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “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. C-3 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” General Commercial Districts 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:** The “I-1” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Transit Center and is not within ½ a mile from a Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 IH-10 East Corridor Perimeter Plan, adopted March 2008, and is currently designated as “Community Commercial,” “Regional Commercial,” and “Urban Living” in the future land use component of the plan. The requested “I-1” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Industrial.” Staff and Planning Commission recommend Approval.
- 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/ is not consistent with the established development pattern of the surrounding area. There is “I-1” Industrial District zoning within proximity.
- 3. Suitability as Presently Zoned:** The existing “C-2” Commercial District and “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The requested “I-1” General Industrial District is also appropriate. The subject property is located within a section of the Interstate Highway 10 access road area that allows for similar uses such as truck repair, truck sales, and other uses allowed in an “I-1” base zoning district. There are also “I-1” zoned properties in proximity to the subject 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 does not appear to conflict with any public policy objectives of the IH-10 East Corridor Perimeter Plan.  
Goal 3: Develop policies to minimize the negative impact and maximize the benefit from development located outside and adjacent to San Antonio's City Limits.  
Industrial Land Use Goals: Provide for adequate buffers (landscaping berms, fences, walls, or open spaces) to mitigate adverse noise and visual impacts from non-residential uses.
- 6. Size of Tract:** The 13.848-acre site is of sufficient size to accommodate the proposed industrial development.
- 7. Other Factors:** The request is to bring the property into a zoning district that allows the current uses.

On September 13, 2023, the Office of Historic Preservation staff determined that a demolition permit may be issued in accordance with the UDC at this property.

The subject property is located within the Martindale/Randolph AFB Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBASA were notified of the proposed request. The Military has indicated that there are no objections to this request.