



City of San Antonio

Agenda Memorandum

Agenda Date: December 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2023-10700207

SUMMARY:

Current Zoning: "C-3 MLOD-3 MLR-2" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District and "C-2 MLOD-3 MLR-2" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

Requested Zoning: "MF-33 MLOD-3 MLR-2" Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 3, 2023. This item was continued from the September 19, 2023 meeting.

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Ion Homes & Resort USA c/o Idowu Ntoka

Applicant: Ion Homes & Resort USA c/o Idowu Ntoka

Representative: Ion Homes & Resort USA c/o Idowu Ntoka

Location: 210 and 218 Dorie Street

Legal Description: Lot 47, Block 11, NCB 10270, and Lots 4 and 5, Block 11, NCB 10270, save and except the northwest triangular 47.06 feet of Lot 4

Total Acreage: 0.4322 acres

Notices Mailed

Owners of Property within 200 feet: 31

Registered Neighborhood Associations within 200 feet: Wheatley Heights Action Group

Applicable Agencies: Martindale Army Airfield, Planning Department, Texas Department of Transportation

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 15765, dated October 17, 1951, and was zoned “B” Residence District. A portion of the property was rezoned by Ordinance 41563, dated December 7, 1972, to “B-3” Business District. A portion of the property was rezoned by Ordinance 49723, dated August 24, 1978, to “B-2” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion of the property zoned “B-3” Business District converted to the current “C-3” General Commercial District, and the portion of the property zoned “B-2” Business District converted to the current “C-2” Commercial District.

Code & Permitting Details:

There is no relevant code enforcement history or permit history for the subject property.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “C-3”

Current Land Uses: Gas station

Direction: South

Current Base Zoning: “R-4”

Current Land Uses: Residential dwelling

Direction: East

Current Base Zoning: “R-4”

Current Land Uses: Residential dwelling

Direction: West

Current Base Zoning: “C-3”, UZROW

Current Land Uses: Restaurant, Motor Vehicle Sales

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:

No special district information.

Transportation

Thoroughfare: Dorie Street

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Pecan Valley Drive

Existing Character: Secondary Arterial Type B

Proposed Changes: None Known

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

Routes Served: 26, 225

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 multi-family development is 1.5 spaces per unit.

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.

“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.

Proposed Zoning: “MF-33” Multi-Family District allows multi-family development up to 33 units per acre.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Area Center or within a ½ mile of 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 and is currently designated as “High Density Mixed Use” in the future land use component of the plan. The requested “MF-33” 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 aligns with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** With consideration to the existing single-family development pattern in proximity, the current “C-3” General Commercial District and “C-2” Commercial District are not the most appropriate zonings for the property and surrounding area. The proposed “MF-33” Multi-Family District is more appropriate. The use aligns with the existing residential development pattern and proposes compatible uses at a residential scale. Given the properties’ location with the highway to the north and west and the single-family development to the east and south, the proposed multifamily residential development could serve as a transitional buffer between the two conflicting uses. The additional housing is also aligned with the goals of the Strategic Housing Implementation Plan (SHIP) to increase housing stock for the growing San Antonio population.
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.

Relevant Goals and Policies of the Comprehensive Plan may include:

- H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
- H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
- H Goal 5: High-density housing choices are available within the city’s 13 regional centers and along its arterial and transit corridors.

Relevant Goals and Policies of the Eastern Triangle Community Plan may include:

- Goal 12: Develop good, very good, and excellent quality or better constructed housing for all residents, from young adults to the elderly, within the planning area
- Objective 12.1: Encourage the development of diverse housing options near schools for families with school age children
- Objective 12.3: Increase the diversity of housing for young adults to live, work, and interact within the community

6. Size of Tract: The 0.4322 acre site is of sufficient size to accommodate the proposed light residential 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 property is proposed for development of multifamily uses that shall not exceed thirty-three (33) units per acre. At 0.4322 acres, there could potentially be development of 14 units. The applicant is requesting to build 7 units.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single-family district within 50 feet of the property line.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.