



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 16, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:** Z-2022-10700197 CD

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD MLOD-3 MLR-2 AHOD" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Landscaping Materials - Sales and Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 16, 2022

**Case Manager:** Joshua T Orton, Senior Planner

**Property Owner:** Canavan Interest, LLC

**Applicant:** P.W. Christensen, P.C.

**Representative:** P.W. Christensen, P.C.

**Location:** 4042 Rittiman Road

**Legal Description:** 1.99 acres out of NCB 12175

**Total Acreage:** 1.99

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** East Terrill Hills

**Applicable Agencies:** Fort Sam Houston, Martindale Army Airfield, Planning Department.

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and zoned "A" Single-Family Residence District. A portion of the property was rezoned by Ordinance 33982, dated January 6, 1966 to the "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District and "B-3" Business District converted to the current "R-5" Single-Family District and "C-3" General Commercial District.

**Topography:** A portion of subject property is located with the 100 Year Flood Plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3R

**Current Land Uses:** Office/Warehouse

**Direction:** South

**Current Base Zoning:** C-3

**Current Land Uses:** Residential Single Family

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Carwash

**Direction:** West

**Current Base Zoning:** R-5

**Current Land Uses:** Vacant

**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:** N/A.

**Transportation**

**Thoroughfare:** Rittiman Road

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known

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

**Routes Served:** 1

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502

**Parking Information:** The minimum parking for landscaping material sales and storage is 1 per 500 sf GFA of sales and service building

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-5" Residential Single-Family allows dwellings (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

"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: "C-2 CD" 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 requested "CD" Conditional Use will allow the use of Landscaping Materials Sales and Storage.

**FISCAL IMPACT:**

None

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

The property is within half a mile of the Fort Sam Houston Regional Center and within half a mile of the Premium Transit Corridor.

## **RECOMMENDATION:**

Staff recommends 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 Southeast District of the San Antonio International Airport Vicinity Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2” 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. A majority of the surrounding properties are zoned “C-3” General Commercial.
3. **Suitability as Presently Zoned:** The existing “R-5” Residential Single-Family District is not an appropriate zoning for the property and surrounding area. The existing “C-3” General Commercial zoning is appropriate. The proposed “C-2 CD” Commercial District with Conditional Use for Landscaping Materials Sales and Storage is suitable for the property. The “C-2” Commercial District is a downzoning from the existing “C-3” General Commercial and aligns with the “Community Commercial” land use. The “CD” Conditional Use allows consideration of Landscaping Materials Sales and Storage a use that permitted by right in “L” Light Commercial and “I-1” General Commercial with conditions if needed. Conditions may include hours of operation, screening, landscape buffers, no temporary signage, and other similar conditions.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** Relevant Themes and Objectives of the San Antonio International Airport Vicinity Plan may include:  
  
Land Use Key Theme #7: Encourage compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes.  
  
Land Use Objective 2.2: Encourage commercial development that respects the integrity of existing residential development.
6. **Size of Tract:** The 1.99-acre site is of sufficient size to accommodate the proposed commercial development.

7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area and Martindale Army Airfield 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.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant is rezoning to develop a Landscaping Materials - Sales and Storage.