



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 15, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2023-10700102

(Associated Plan Amendment PA-2023-11600025)

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 16, 2023

**Case Manager:** Camryn Blackmon, Zoning Planner

**Property Owner:** Estate of Theo W. Pinson, Jr.

**Applicant:** Theo W. Pinson, III

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

**Location:** 4600 block of East Houston Street

**Legal Description:** 1.15 acres out of NCB 10614

**Total Acreage:** 1.15

**Notices Mailed****Owners of Property within 200 feet:** 10**Registered Neighborhood Associations within 200 feet:** There is no registered Neighborhood Association within 200 feet.**Applicable Agencies:** Martindale Army Airfield, Planning Department**Property Details****Property History:** The property was annexed into the City of San Antonio by Ordinance 25568, dated September 18, 1957, and zoned "A" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Residence District converted to the current "R-5" Residential Single-Family District.**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:** "MF-33"**Current Land Uses:** Townhomes**Direction:** East**Current Base Zoning:** "R-5"**Current Land Uses:** Sam Houston High School**Direction:** South**Current Base Zoning:** "R-5"**Current Land Uses:** Church**Direction:** West**Current Base Zoning:** "C-2"**Current Land Uses:** Office**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:**

None.

**Transportation****Thoroughfare:** East Houston Street**Existing Character:** Secondary Arterial A**Proposed Changes:** None Known

**Thoroughfare:** South WW White Road  
**Existing Character:** Primary Arterial A  
**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.  
**Routes Served:** 25

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The typical parking requirement for commercial and office uses is a maximum requirement of 1 per 300 sf GFA. The minimum requirement is 1 per 140 sf GFA.

**ISSUE:**  
None.

**ALTERNATIVES:**

Current Zoning: “R-5” Residential Single-Family District allows for dwelling (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.

Proposed Zoning: “C-2” Commercial District accommodates 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.

**FISCAL IMPACT:**  
None.

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

Subject property is located with the Fort Sam Houston Regional Center and but is not within ½ a mile from the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend 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 Eastern Triangle Community Plan and is currently designated as “High Density Residential” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the future land use

designation. The applicant has requested a Plan Amendment to "Community Commercial". 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 with the established development pattern of the surrounding area. Surrounding properties are zoned "C-2" Commercial District and "MF-33" Multi-Family District.
3. **Suitability as Presently Zoned:** The existing "R-5" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The requested "C-2" Commercial District is also appropriate. The area currently accommodates commercial zoning for comparable uses on lots placed and sized similarly to the subject property. The proposed rezoning to "C-2" Commercial District is also appropriate given the property's location along a secondary arterial road that has established commercial uses.
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 Eastern Triangle Community Plan.

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

- Objective 7.2: Attract new businesses to the Eastern Triangle
  - Goal 8: Expand and build thriving commercial corridors
  - Objective 8.1: Identify specific corridors for revitalization and develop strategic plans for redevelopment
  - Goal 9: Promote Diversification of Businesses and Services
6. **Size of Tract:** The 1.15-acre site is of sufficient size to accommodate the proposed commercial 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.