



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 20, 2023

**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-2022-10700297

(Associated Plan Amendment PA-2022-11600101)

**SUMMARY:**

**Current Zoning:** "I-2 EP-1 MLOD-3 MLR-2 AHOD" Heavy Industrial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-2 EP-1 MLOD-3 MLR-2 AHOD" Medium Intensity Infill Development Zone Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for twelve (12) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 20, 2023. This case was continued from the December 20, 2022 and November 15, 2022 hearings. This case was postponed from the January 17, 2023 hearing.

**Case Manager:** Elizabeth Steward, Zoning Planner

**Property Owner:** Hinds Feet Investments LLC

**Applicant:** Fernando DeLeon

**Representative:** Patrick Christensen, PC

**Location:** 102 Hines and 900 Larry Street

**Legal Description:** 0.691 acres out of NCB 1244

**Total Acreage:** 0.691

**Notices Mailed**

**Owners of Property within 200 feet:** 42

**Registered Neighborhood Associations within 200 feet:** Harvard Place Eastlawn  
Neighborhood Association

**Applicable Agencies:** Martindale Army Air Field, Fort Sam Houston Military Base, Parks  
Department

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “L” First Manufacturing District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “L” First Manufacturing District converted to the current “I-2” Heavy Industrial 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:** I-2

**Current Land Uses:** Residential Dwelling

**Direction:** South

**Current Base Zoning:** I-2

**Current Land Uses:** Menger Creek Linear Park

**Direction:** East

**Current Base Zoning:** I-2

**Current Land Uses:** Open Space

**Direction:** West

**Current Base Zoning:** I-2

**Current Land Uses:** Church

**Overlay District Information:**

The “EP-1” Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

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:** Hines Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Larry Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 22, 222

**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\*\* A TIA Report is not required.

**Parking Information:** The minimum parking for a multifamily dwelling is 1.5 spaces per unit. "IDZ-2" waives the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: The "I-2" Heavy Industrial district allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling.

Proposed Zoning: "IDZ-2" Medium Intensity Infill Development Zone District allows rezoning requests up to 50 units per acre, and uses permitted in "C-2" and "O-1.5". All approved uses must

be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The proposed "IDZ-2" would permit twelve (12) dwelling units.

**FISCAL IMPACT:**

None.

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

The property is located within the Near Eastside Regional Center and is within a half mile of the Commerce- Houston Premium 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 Arena District/ Eastside Community Plan and is currently designated as "Parks/ Open Space" in the future land use component of the plan. The requested "IDZ-2" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "High Density Residential". 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.
3. **Suitability as Presently Zoned:** The existing "I-2" Heavy Industrial District is not an appropriate zoning for the property and surrounding area. Most of the area is comprised of parks and residential uses, and would benefit from a large area rezoning. The requested "IDZ-2" Medium Intensity Infill Development Zone District with uses permitted for twelve (12) dwelling units is an appropriate zoning for the property and surrounding area. The requested "IDZ-2" allows for additional density and housing types in the area without changing the character of an established neighborhood. The request is located at the intersection of Hines and Larry, making it a viable location for increased density, surrounded to the east and south by City of San Antonio Parks. The proposed "IDZ-2" for additional housing also supports the City's Strategic Housing Implementation Plan to meet the growing housing needs of the city by providing diverse housing stock for all economic levels.
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 Arena District/ Eastside Community Plan.

- 4.2 Recommend new medium density single family and high density multifamily residential neighborhoods near Salado Creek to supplement existing ones
- 2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations

6. **Size of Tract:** The 0.691 acre site is of sufficient size to accommodate the proposed 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 12 units.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.

The zoning request includes a request for nonresidential uses or multifamily uses adjacent (refer to definition in Appendix A as there is a difference between abutting and adjacent) to an existing single family residential use, the applicant is required to construct and maintain a 6 foot solid screen fence, prior to obtaining a Certificate of Occupancy, per Section 35-514(d). The applicant can request City Council modify or exempt this requirement.