



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 18, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2022-10700239

(Associated Plan Amendment PA-2022-11600090)

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Air Field Military Lighting Overlay Military Lighting Region 1 District, "NP-8 MLOD-3 MLR-1" Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District, "I-1 MLOD-3 MLR-1" General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District, "C-3R MLOD-3 MLR-1" General Commercial Restrictive Alcohol Sales Martindale Army Airfield Military Lighting Region District

**Requested Zoning:** "MF-18 MLOD-3 MLR-1" Limited Density Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 18, 2022. This case was continued from October 4, 2022.

**Case Manager:** Mark Chavez, Planner

**Property Owner:** Boralis USA Inc

**Applicant:** Brown & Ortiz, PC

**Representative:** Brown & Ortiz, PC

**Location:** 5001 Sinclair Road

**Legal Description:** Lot P-3, P-3A, P-4, P-4A, P-4B, P-4C, P-4E, P-4F, P-5, P-5A, NCB 10777

**Total Acreage:** 26.75

**Notices Mailed**

**Owners of Property within 200 feet:** 55

**Registered Neighborhood Associations within 200 feet:** Jupe Manor Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield, Planning Department, TxDOT

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 25568, dated September 18, 1957 and zoned "A" Single-Family Residence District. A portion of the property was rezoned by Ordinance 55436, dated June 17, 1983 to the "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District" and "I-1" Light Industry District converted to the "R-5" Residential Single-Family District and "I-1" General Industrial District. A portion of the property was rezoned by Ordinance 2015-05-21-0448, dated May 21, 2015 to the current "NP-8" Neighborhood Preservation 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:** "NP-8"

**Current Land Uses:** Single Family Residential Neighborhood

**Direction:** South

**Current Base Zoning:** "I-1" and "C-3"

**Current Land Uses:** Self Storage

**Direction:** East

**Current Base Zoning:** ROW

**Current Land Uses:** SE Loop 410

**Direction:** West

**Current Base Zoning:** "R-5" and "NP-8"

**Current Land Uses:** Single Family Residence

**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:** N/A.

**Transportation**

**Thoroughfare:** Sinclair Road

**Existing Character:** Collector

**Proposed Changes:** None Known

**Thoroughfare:** Southeast Loop 410

**Existing Character:** Interstate

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**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 minimum parking for multi-family is 1.5 spaces per unit.

**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. Uses are the same as within the "R-6" zoning district.

"NP-8" Designed to protect existing platted subdivisions which are substantially developed with single-family detached dwelling units. (8,000 sq. ft. minimum lot size for NP-8) The 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.

"C-3 R" 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. C-3R districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

Proposed Zoning: "MF-18" Limited Density Multi-Family allows residential development at a maximum of 18 units per acre.

**FISCAL IMPACT:**

None.

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

The property is not within 1/2 a mile of a Regional Center but within the Premium Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Planning Commission recommend approval (Planning Commission Date Hearing 10-12-2022).

**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 designated as Community Commercial, Medium Density Residential and Low Density Residential. The requested "MF-18" base zoning district is not consistent with all the future land use designations. The applicant has requested a Plan Amendment to "Medium Density Residential". Staff recommend Approval. Planning Commission recommendation pending the October 12, 2022 hearing.
- 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. While the existing "R-5" Residential Single-Family and "NP-8" Neighborhood Preservation are consistent with development in the area. In general, "C-3" General Commercial is not intended to abut residential uses due to the intensity of commercial uses and "I-1" General Industrial and too intense for the area.
- 3. Suitability as Presently Zoned:** The existing "R-5" Residential Single-Family District and "NP-8" Neighborhood Preservation District, are appropriate zoning for the property and surrounding area. The "I-1" General Industrial District and "C-3R" General Commercial Restrictive Alcohol Sales District are not appropriate. The property is currently undeveloped. The applicant is requesting to consolidate the properties to develop limited density residential development of "MF-18." The Eastern Triangle Community Plan supports residential development and conversion of industrial zoning along Sinclair Road.
- 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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Eastern Triangle Community Plan:

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

H Goal 2: A variety of housing types 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 P18: Encourage housing to be built with, near or adjacent to retail uses.

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

OVERALL GOAL: A well maintained community with a diverse housing stock that meets the needs of current and future residents through all stages of life.

Goal 12: Develop more good, very good, and excellent quality or better constructed housing for all residents, from young adults to the elderly, within the planning area.

Objective 12.3: Increase the diversity of housing for young adults to live, work, and interact within the community.

6. **Size of Tract:** The 26.75 acre site is of sufficient size to accommodate the proposed limited density 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.

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.

Applicant is requesting to rezone multiple districts to multi-family at the intersection of Loop-410 and Sinclair Road.