



City of San Antonio

Agenda Memorandum

Agenda Date: August 18, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:

ZONING CASE Z-2022-10700142 S

(Associated Plan Amendment PA-2022-11600053)

SUMMARY:

Current Zoning: "RE MLOD-3 MLR-2" Residential Estate Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

Requested Zoning: "NC S MLOD-3 MLR-2" Neighborhood Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District with Specific Use Authorization for Medical Offices

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: July 5, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: Gregory Brown

Applicant: Gregory Brown

Representative: Hannah Tabanao

Location: 4103 Roland Avenue

Legal Description: 6.082 acres out of NCB 10770

Total Acreage: 6.082

Notices Mailed

Owners of Property within 200 feet: 3

Registered Neighborhood Associations within 200 feet: Southeast Side Neighborhood Association

Applicable Agencies: Parks Department, Planning Department, Martindale Army Air Field

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. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District converted to "R-5" Residential Single-Family District. The property was rezoned by Ordinance 2014-06-05-0401, dated June 5, 2014 to the current "RE" Residential Estate 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: RE

Current Land Uses: Residential Dwelling

Direction: South

Current Base Zoning: MH

Current Land Uses: Vacant

Direction: East

Current Base Zoning: R-5

Current Land Uses: City Park

Direction: West

Current Base Zoning: RE

Current Land Uses: Residential Dwelling

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: Roland Avenue

Existing Character: Collector

Proposed Changes: None Known

Public Transit: There is no public transit within walking distance of the subject property.

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 medical clinic is 1 space per 400 sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "RE" Residential Estate properties allow single-family dwellings (detached) with a minimum lot size of one acre (43,560 square feet) and a minimum lot width of 120 feet, accessory dwelling, public and private schools.

Proposed Zoning: "NC" Neighborhood Commercial provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

The Specific Use Authorization allows for the establishment of Medical Offices.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center or within ½ a mile from a 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 "Low Density Residential" in the future land use component of the

plan. The requested “NC” Neighborhood Commercial base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Low Density Mixed Use”. 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. There is existing commercial built properties to the west, including a Sports Bar, Outdoor Athletic Fields, and Long Term Auto Storage, with no residential uses located between these properties and the subject site.
3. **Suitability as Presently Zoned:** The existing “RE” Residential Estate District is an appropriate zoning for the property and surrounding area. The proposed ‘NC S’ Neighborhood Commercial District with Specific Use Authorization for Medical Offices is also an appropriate zoning for the property and surrounding area. This allows for light intensity commercial uses beneficial to the surrounding area. It acts as a buffer and as a transition between established large lot residences, the next-door family farm, the city park, and existing higher intensity commercial uses to the West and potential highest intensity commercial properties to the East. The property is located along a Collector Corridor of Roland Avenue, so the higher intensity capability of the street, lends itself to commercial use of the property as requested by the applicant.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare. The submitted Site Plan has indicated a small footprint on the land and the applicant has stated a commitment to keeping as many trees as possible.
5. **Public Policy:** The request does not appear to conflict with any public policy objective of the Eastern Triangle Community Plan.

- Economic Development Overall Goal: A well trained workforce and safe, attractive corridors
 - o Goal 9: Diverse businesses and services
 - o Objective 9.1: Increase the range of family-oriented businesses and services within the Eastern Triangle
 - ☐ 9.1.5. Actively seek out small medical offices to locate in the area
- Parks and Community Facilities Overall Goals: Enhance the area’s parks, recreation, community facilities and programming to establish a regional draw with world-class amenities that meets the current and future needs of the Eastern Triangle
 - o Goal 21: Effective and efficient community programs
 - Public Health and Wellness Overall Goal: Provide a myriad of health care options to the residents of the Eastern Triangle through education, preventative healthcare services, and healthcare offices, clinics and medical complexes
 - o Goal 23: Address the community’s needs for basic and mental healthcare through improved access to healthcare, preventative health programs and community collaboration
 - ☐ Objective 23.2 Bring basic healthcare services to the Eastern Triangle
 - o Goal 24: Health and wellness education

6. **Size of Tract:** The 6.082 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is rezoning to develop a primary Medical Clinic of approximately 3,000 square feet with an onsite walking trail. There are some with eventual tiny/mobile buildings for medical services/consultations. The "NC" Neighborhood Commercial district is limited to a total of 5,000 square feet for multiple buildings. There are no external sound systems allowed or outdoor display of goods in the "NC" zoning district. Additionally, this district does not allow flashing, moving or inflatable signs or products and does not allow drive-thru uses.

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.

When the zoning request includes a request for nonresidential uses or multifamily uses adjacent (refer to definition in Appendix A as there is a different 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).