



City of San Antonio

Agenda Memorandum

Agenda Date: December 1, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2022-10700227 CD
(Associated Plan Amendment PA-2022-11600076)

SUMMARY:

Current Zoning: "O-2 MLOD-3 MLR-1" High-Rise Office Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

Requested Zoning: "C-2 CD MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with Conditional use for Oversize Vehicle Sales, Service or Storage

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 4, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: RLR Investments LLC

Applicant: Stan Richard, RLR Investments LLC

Representative: Trey Jacobson

Location: Generally located in the 200 Block of Prashner

Legal Description: Lot 50, NCB 12856

Total Acreage: 1.221

Notices Mailed

Owners of Property within 200 feet: 34

Registered Neighborhood Associations within 200 feet: Eastern Triangle

Applicable Agencies: Martindale Army Air Force base, Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 18115, dated Sept. 24, 1952 and zoned "A" Single-Family Residence District. The property was rezoned by Ordinance 91693, dated April 27, 2000 to "O-1" Office District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "O-1" Office District converted to the current "O-2" High-Rise Office 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-1

Current Land Uses: Trucking Company

Direction: South

Current Base Zoning: R-5

Current Land Uses: Residential Dwelling

Direction: East

Current Base Zoning: R-5

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: R-5

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: Prashner

Existing Character: Local

Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property.
Routes served: 225, 25

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 Manufactured Home/ Oversize Vehicle Sales, Service, and Storage is 1 space per 500 sf GFA of sales and service building

ISSUE:
None.

ALTERNATIVES:

Current Zoning: "O-2" High-Rise Office districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as "permitted" in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

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 Conditional Use allows for Oversize Vehicle Sales, Storage, and Service

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located with the Fort Sam Houston Regional Center and within ½ a mile from the FM-78 Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 Eastern triangle Community Plan and is currently designated as "Low 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 recommends Approval. Planning Commission recommendation pending the November 16, 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.
3. **Suitability as Presently Zoned:** The existing “O-2” High-Rise Office District is not an appropriate zoning for the property and surrounding area. The requested “C-2 CD” Commercial District with Conditional Use for Oversize Vehicle Sales, Service or Storage is also an appropriate zoning for the property and surrounding area. The request allows for a transitional buffer between the high intensity uses and zoning of the “I-1” property to the North and the residential uses of the “R-5” properties to the South, East, and West. The applicant is also providing an 8-foot solid-screened fence and landscape buffering outside the fence to improve the aesthetics of the area.
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.
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - GCF Policy 14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
 - H Policy 30: Ensure infill development is compatible with existing neighborhoods.
 - Economic Development Goal 11: Enhance the physical environment.
6. **Size of Tract:** The 1.221 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** 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 Oversized Vehicle Storage.

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.

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.