



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 19, 2021

**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-2021-10700252  
(Associated Plan Amendment PA-2021-11600087)

**SUMMARY:**

**Current Zoning:** “I-2 MLOD-3 MLR-1” General Industrial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** “C-3 MLOD-3 MLR-1” General Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 1 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 19, 2021. This case is expedited to City Council on October 21, 2021.

**Case Manager:** Forrest Wilson, Planner

**Property Owner:** Chrismari, Inc.

**Applicant:** CBM Broadway, Ltd.

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

**Location:** 3600 North Panam Expressway

**Legal Description:** 20.044 acres out of NCB 10574 and 14037

**Total Acreage:** 20.044

**Notices Mailed**

**Owners of Property within 200 feet:** 18

**Registered Neighborhood Associations within 200 feet:** United Homeowners Improvement Association

**Applicable Agencies:** Martindale Army Air Field, TxDOT

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and zoned "A" Temporary Residence District. The property was rezoned by Ordinance 24417, dated February 14, 1957 to "LL" First Manufacturing District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "LL" First Manufacturing District converted to "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:** UZROW

**Current Land Uses:** Interstate

**Direction:** East

**Current Base Zoning:** "I-2"

**Current Land Uses:** Commercial advertising

**Direction:** South

**Current Base Zoning:** "I-2"

**Current Land Uses:** Industrial

**Direction:** West

**Current Base Zoning:** "I-2"

**Current Land Uses:** Industrial

**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:** IH 35

**Existing Character:** Interstate

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property  
**Routes Served:** 21

**Traffic Impact:** TIA report is not required. IH 35 is a TxDOT roadway, TxDOT review and approval will be required. Please submit documents to TxDOT for review. ROW dedication and improvement may be required along Splashtown and Copeland. TIA review will be conducted in detail during platting and building permit which will require a site plan.

**Parking Information:** The minimum parking requirement is 1 space per 500 sf GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** “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:** “C-3” General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**

None.

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

The subject property is located with the Fort Sam Houston Regional Center, but not within a 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 Community Commercial in the future land use component of the plan. The requested “C-3” General Commercial base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to Regional 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 primarily commercial uses.
3. **Suitability as Presently Zoned:** The existing zoning “I-2” Heavy Industrial District is not an appropriate zoning for the property and surrounding area. The requested “C-3” General Commercial constitutes a downzoning from the very intense “I-2” Heavy Industrial District. Additionally regional commercial uses and “C-3” General Commercial zoning are appropriate along a major highway like I-35 North.
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 change of zoning does not appear to conflict with the following goals and strategies of the Arena District/Eastside Community Plan:

**Analysis:**

The subject properties have an I-2 base zoning and contain the existing use of Splashtown waterpark. While the surrounding uses are industrial, the Future Land Use designated in the Arena Plan for the area is Community Commercial, with Medium Density Residential on some of the nearby parcels that are currently industrial. However, since the adoption of the Arena District plan, the land uses surrounding this site have not yet changed to match the future land use from the plan and remain largely industrial.

As the area transitions, and with the upcoming planning process of the Fort Sam Houston Area Regional Center Plan, further consideration will be given to the existing land uses as they relate to the Arena District Plan to take a more holistic view of the area’s trajectory.

**Relevant Goals and Policies of the Comprehensive Plan may include:**

**GCF P6:** Align land uses and infrastructure improvements in regional centers with

employment uses and jobs best suited for each center's unique assets.

**GCF P13:** Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.

**Relevant Goals and Policies of the Arena District Plan may include:**

**Land Use 2.1:** Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations

**Urban Design 3.3:** Concentrate industrial uses

6. **Size of Tract:** The 20.044 acre site is of sufficient size to accommodate commercial uses and the proposed use of a full-service truck center/dealership (truck sales and service).
7. **Other Factors** The applicant is proposing a full-service auto sales and service dealership on the subject property.

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.