



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 2, 2021

**In Control:** City Council Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

Zoning Case Z-2021-10700262

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-3 MLR-2 AHOD" General Industrial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-2 NA MLOD-3 MLR-2 AHOD" Commercial Nonalcoholic Sales Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 MLOD-3 MLR-2 AHOD" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 2, 2021

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** San Antonio Houston LLC

**Applicant:** Philip Koumvakalis

**Representative:** Philip Koumvakalis

**Location:** 2200 East Houston Street

**Legal Description:** Lot 25, Block 5, NCB 6339

**Total Acreage:** 1.722 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 44

**Registered Neighborhood Associations within 200 feet:** Jefferson Heights, Harvard Place Eastlawn and Dignowity Hill

**Applicable Agencies:** Martindale Army Field

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned “J” Commercial District on the Western side and “B” Residence District on the Eastern side. The Eastern part of the property was rezoned by Ordinance 84265, dated June 13, 1996, from “B” Residence District to “B-2NA” Business Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the Western part of property zoned “J” Commercial District converted the current “I-1” General Industrial District. Furthermore, the Eastern part of the property zoned “B-2NA” Business Non-Alcoholic Sales District converted to the current “C-2NA” Commercial Nonalcoholic Sales District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** I-1, R-4

**Current Land Uses:** Mixed Use, Medium Density Residential – Residential Housing, Fast Food Restaurant, Bank, Auto Parts Store, General Retail

**Direction:** South

**Current Base Zoning:** C-2, R-4

**Current Land Uses:** Mixed Use, Medium Density Residential – Residential Housing, Dollar General, Pawn Shop, Mobile Phone Shop, Insurance

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Medium Density Residential – Residential Housing

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Mixed Use – Bank, Cellular Phone Shop, HEB

**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.

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.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** East Houston Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** North New Braunfels Avenue

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** North New Braunfels Avenue Phase 1 (East Houston to Burleson) -- Improve N. New Braunfels corridor from E. Houston to Burleson with construction of new sidewalks and other street amenities as appropriate and within available funding

**Public Transit:** There are 2 VIA bus routes within walking distance of the subject property.

**Routes Served:** 20 and 24.

**Traffic Impact:** Houston St is identified on the City's Major Thoroughfare Plan as (Secondary Arterial Type B 70'-86' ROW), New Braunfels Ave is identified on the City's Major Thoroughfare Plan as (Primary Arterial Type B 70'-120' ROW). ROW dedication and improvement may be required. Arterials require min. 48' pavement - 24' from centerline. Per UDC Table 506-3, note 5 bike facilities are required on all arterials along with sidewalks. TIA review will be revisited in detail during Building permit or platting. (site plan will be required)

**Parking Information:** The minimum parking requirement for a drugstore is one (1) parking space per 300 square feet GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** "I-1" 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. 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.

The "C-2NA" Commercial Nonalcoholic Sales districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

**Proposed Zoning:** “C-2” 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.

**FISCAL IMPACT:**

None.

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

The property is not within a regional center but is within a 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 Arena District/Eastside Neighborhood Plan and is currently designated as Mixed Use in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff has not found 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 "R-4" Residential Single-Family, "C-3" General Commercial, and "C-2" Commercial Districts. This zoning request will allow for less intense uses of the land, upon the removal of the “I-1” zoning designation.
3. **Suitability as Presently Zoned:** The existing “I-1” District is not an appropriate zoning for the property and the existing “C-2NA” District is an appropriate zoning for the property. The proposed “C-2” zoning is also an appropriate for the property. In general, "C-2" Commercial Districts are appropriate buffers to residential zoning and uses and provide retail goods and services to surrounding neighborhoods.
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 Neighborhood Plan.

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

**GCF P9:** Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.

**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/policies of the Arena District/Eastside Community Plan may include:**

2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations.

4.3 Reinforce Neighborhood Commercial nodes at cross streets.

6. **Size of Tract:** The 1.722-acre site is of sufficient size to accommodate the proposed commercial uses and 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 is no objection to the request.

The applicant intends to add a Village Medical Clinic inside the existing pharmacy.