



City of San Antonio

Agenda Memorandum

Agenda Date: January 27, 2022

In Control: City Council Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2021-10700288 CD
(Associated Plan Amendment PA-2021-11600102)

SUMMARY:

Current Zoning: "MH MLOD-3 MLR-2" Manufactured Home Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

Requested Zoning: "C-2 CD MLOD-3 MLR-2" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for a Truck Stop

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 7, 2021

Case Manager: Rebecca Rodriguez, Planner

Property Owner: Eugenio Contreras and Victor Manuel Delgado

Applicant: Eugenio de Jesus Contreras

Representative: Eugenio de Jesus Contreras

Location: Generally located in the 5000 Block of Southcross Ranch Road

Legal Description: 2.0 acres out of NCB 18239

Total Acreage: 2.0

Notices Mailed**Owners of Property within 200 feet:** 22**Registered Neighborhood Associations within 200 feet:** Lakeside Neighborhood Association**Applicable Agencies:** Martindale Army Air Field**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 66013, dated December 31, 1987, and zoned TEMP "R-1" Single-Family Residence District. The property was rezoned by Ordinance 66418, dated January 14, 1988, to "R-4" Manufactured Home Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-4" Manufactured Home Residence District converted to the current "MH" Manufactured Home 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:** MH**Current Land Uses:** Vacant**Direction:** South**Current Base Zoning:** MH**Current Land Uses:** Manufactured homes**Direction:** East**Current Base Zoning:** MH**Current Land Uses:** Manufactured Homes**Direction:** West**Current Base Zoning:** MH**Current Land Uses:** Vacant**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: Southcross Ranch Road

Existing Character: Local

Proposed Changes: None

Thoroughfare: New Sulphur Springs Road

Existing Character: Secondary Arterial A

Proposed Changes: None

Public Transit: There are VIA bus routes are within walking distance of the subject property.
Routes Served: 515

Traffic Impact:

Parking Information: The minimum parking requirement for a truck stop is 1 per 500sf GFA including service bays, wash tunnels, and retail areas.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “MH” Manufactured Home districts provide suitable locations for individual HUD-code manufactured homes. Although this district still exists, it is no longer approved for new properties.

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.

The “CD” Conditional Use would allow a Truck Stop.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not within a Regional Center or within the Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Denial.

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 Denial. The Planning Commission recommendation is pending the December 15, 2021, hearing.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “MH” Manufactured Housing District is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for a Truck Stop is not appropriate for the subject site as it is located directly adjacent to a manufactured home community. Although certain "C-2" Commercial zoning and uses can be appropriate adjacent or abutting residential zoning and uses, conditioning down the proposed industrial use to a "C-2" Commercial District in this case is not appropriate for the area. The use Truck Stop is a use typically allowed by right in the "I-1" General Industrial District and even with conditions it would be difficult to mitigate the impacts of this intense use.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. The proposed use could potentially bring adverse effects such as heavy truck traffic, noise, and pollution. Most industrial uses found in this area are located along Loop 410. Additionally, Southcross Ranch Road is the only access into the mobile home community and having heavy trucks or machinery traversing this street could lead to street infrastructure issues.
5. **Public Policy:**

The request does appear to conflict with public policy objectives. The proposed zoning change will not meet the following principles of the Eastern Triangle Community Plan:

 - Objective 2.1:** Reduce speeding on residential streets.
 - Objective 8.1.3:** Focus on S. W.W. White and Rigsby as a commercial corridor and encourage the establishment of more service industry businesses.
 - Objective 8.1.5:** Identify and promote properties near Loop 410 as identified in the Future Land Use Plan as an ideal area for light manufacturing and technology through the designation of business parks.
 - Objective 30.1:** Invest in traffic calming measures along neighborhood streets.
6. **Size of Tract:** The 2.00 acre site is of sufficient size to reasonably accommodate a commercial 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.

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 seeks to rezone the property to develop a Truck Stop.

The applicant has submitted a site plan in accordance with the requirements of the code.