



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 21, 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-2021-10700307

(Associated Plan Amendment PA-2021-11600113)

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-2 CD MLOD-3 MLR-2 AHOD" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Manufactured Home/Oversized Vehicle Sales, Service or Storage, including Truck Repair

**Requested Zoning:** "I-1 MLOD-3 MLR-2 AHOD" General Industrial Martindale Army AirField Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 21, 2021

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** Moody 10 Properties

**Applicant:** Katherine Moody

**Representative:** Katherine Moody

**Location:** 8817 Interstate Highway 10 East

**Legal Description:** Lot 2, Block 8, NCB 16567, Lot P-18A, CB 5089, Lot P-18A, NCB 17991

**Total Acreage:** 7.6949 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 4

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** TxDOT

**Property Details**

**Property History:** The subject property was annexed into City of San Antonio on December 29, 1985, by Ordinance 61631 and originally zoned "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District. Part of the property was rezoned under Ordinance 2015-04-02-1254, dated April 2, 2015, from "C-3" General Commercial District to "C-2 CD" Commercial District with a Conditional Use for Manufactured Home/Oversized Vehicle Sales, Service or Storage to include Truck Repair.

**Topography:**

A portion of subject property is located with the Cibolo Creek Watershed.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** OCL

**Current Land Uses:** Open Space

**Direction:** East

**Current Base Zoning:** C-2 CD, C-3, I-1

**Current Land Uses:** Tire Shop, Trailer Repair, Open Space

**Direction:** South

**Current Base Zoning:** UZROW, C-3, I-1

**Current Land Uses:** UZROW, Truck Leasing, Truck Center

**Direction:** West

**Current Base Zoning:** C-2 CD, C-3

**Current Land Uses:** Transport Service, Truck Repair

**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:** IH-10 Frontage Road

**Existing Character:** Access Road

**Proposed Changes:** None

**Public Transit:** There are 0 VIA bus routes within proximity to the property.

**Traffic Impact:** IH 10 is a TxDOT roadway, TxDOT review and approval will be required. Please submit documents to TxDOT for review.

**Parking Information:** 1 per 500 sf GFA including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay.

**ISSUE:**

None.

**ALTERNATIVES:**

Current 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. “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.

The current “CD” Conditional Use allows for Manufactured Home/Oversized Vehicle Sales, Service or Storage including Truck Repair.

Proposed Zoning: The “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.

**FISCAL IMPACT:**

None.

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

The subject property is not within proximity to a transit corridor and is not within proximity to a regional center.

**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 I-10 East Corridor Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “I-1” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Industrial”. 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 “C-2 CD” Commercial with a Conditional Use, “C-3” General Commercial, and “I-1” General Industrial. Truck-related industry is concentrated in these properties along the Corridor, an appropriate location for higher intensity uses.
3. **Suitability as Presently Zoned:** The existing "C-3 " General Commercial District and “C-2 CD” Commercial District with Conditional Use for Manufactured Home/Oversized Vehicle Sales, Service or Storage, including Truck Repair District is an appropriate for the property and surrounding area. The proposed “I-1” District is also an appropriate zoning for the property and surrounding 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/does not appear to conflict with any public policy objective.

Relevant Goals and Policies I-10 East Corridor Perimeter Plan may include:

- LU Objective: Enhance the diversity of other land uses (agriculture, residential, and commercial) so that industrial uses (freight transport, manufacturing, and construction) do not dominate the Corridor (2001)
- Goal 3: Compatibility of Land Uses Improve the quality of life and safety of residents of the IH 10 East Perimeter Planning area by addressing incompatible land uses (2008)

6. **Size of Tract:** The 7.6949-acre site is of sufficient size to accommodate the proposed Industrial uses and development.
7. **Other Factors:** The subject property is located within the Martindale 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 seeks to acquire industrial zoning that allows for more intense trucking uses and is comparable to other properties in the area.