



City of San Antonio

Agenda Memorandum

Agenda Date: December 19, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

ZONING CASE Z-2023-10700343 (Associated Plan Amendment Case PA-2023-11600086)

SUMMARY:

Current Zoning: “C-2 AHOD” Commercial Airport Hazard Overlay District

Requested Zoning: “IDZ-3 AHOD” High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for 350 dwelling units, C-2 Commercial District uses, Bar and/or Tavern, Microbrewery, Extended Stay Hotel/Motel, Fitness Center with Outdoor Uses Permitted, Bowling Alley, Convenience Store with Carwash, Party House, Reception Hall, Meeting Facility, Office Warehouse with Flex Space, Billiard/Pool Hall (alcohol included), Montessori school, Urgent Care, Emergency Hospital, and Social Club

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 19, 2023

Case Manager: Forrest Wilson, Principal Planner

Property Owner: Southwestern Bell Telephone Company

Applicant: AD Acquisitions, LLC

Representative: Brown & McDonald PLLC

Location: 7159 San Pedro Avenue

Legal Description: Lots 8-10, Lot 15, and 0.385 acres out of Lot 7, Block 1, NCB 12184

Total Acreage: 2.6895 Acres

Notices Mailed

Owners of Property within 200 feet: 15

Registered Neighborhood Associations within 200 feet: Shearer Hills/Ridgeview

Applicable Agencies: Planning (Greater Airport Area), San Antonio Airport

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and originally zoned "F" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001 the property zoned "F" Local Retail District converted to "C-2" Commercial District.

Code & Permitting Details:

There is no code enforcement or permitting history for the subject property.

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:

Current Land Uses: Convenience Store/Gas Station

Direction: East

Current Base Zoning:

Current Land Uses: Restaurant, Shopping Center

Direction: South

Current Base Zoning: "C-2"

Current Land Uses: Shopping Center

Direction: West

Current Base Zoning: "R-4"

Current Land Uses: Residential (Duplexes)

Overlay District Information:

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:

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

Transportation

Thoroughfare: San Pedro Avenue
Existing Character: Principal
Proposed Changes: None known

Public Transit: VIA bus stops are within walking distance of the subject property.
Routes Served: 4, 204

Traffic Impact: The traffic generated by the proposed development has increase, it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502. TIA Report will be Required.

Parking Information: “IDZ” reduces the minimum parking requirement by fifty percent. The minimum parking requirement for multi-family residential is 1.5 spaces per unit. The parking requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

ISSUE:
None

ALTERNATIVES:

Current Zoning: C-2 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.

Proposed Zoning: Allows rezoning requests of unlimited density, and uses permitted in “C-3”, “O-2” and “I-1”. All approved uses and maximum density must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city. “IDZ-3” High Intensity Infill Development Zone allows rezoning requests of unlimited density, and uses permitted in “C-3”, “O-2” and “I-1”. All approved uses and maximum density must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The uses permitted for this change of zoning include 350 dwelling units, C-2 Commercial District uses, Bar and/or Tavern, Microbrewery, Extended Stay Hotel/Motel, Fitness Center with Outdoor Uses Permitted, Bowling Alley, Convenience Store with Carwash, Party House, Reception Hall, Meeting Facility, Office Warehouse with Flex Space, Billiard/Pool Hall (alcohol included), Montessori school, Urgent Care, Emergency Hospital, and Social Club.

FISCAL IMPACT:
None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is within the Greater Airport Regional Center and within a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends 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 North Central Community Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “IDZ-3” High Intensity Infill Development Zone is not consistent with the future land use designation. The applicant has requested a Plan amendment to “Mixed Use”. Staff recommends Approval. Planning Commission recommendation pending the December 13th hearing.
2. **Adverse Impacts on Neighboring Lands:** Staff finds 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 “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-3” High Intensity Infill Development Zone is also suitable for the area as it allows for a blend of residential and commercial activities along a transportation corridor. The property currently houses office space that was formerly used by AT&T. Infill development, characterized by the strategic use of available space within existing urban areas, offers a host of benefits, particularly when incorporating a mix of housing and commercial options. This denser development pattern enhances walkability and accessibility, fostering vibrant, interconnected communities. The integration of both housing and commercial spaces contributes to a diverse and dynamic urban environment, catering to the varied needs of residents.
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 objective of the North Central Community Plan. GOAL 2: Encourage the establishment of neighborhood-friendly businesses along the commercial corridors that promote pedestrian accessibility. Objective 2.2: Encourage mixed use development (in the area bounded by San Pedro Avenue, Rector, McCullough, and Sprucewood) that combines commercial, residential and office uses near a transportation node. GOAL 5: Promote future development that is compatible with existing neighborhoods and that incorporates sound stormwater management practices. Objective 5.1: Work with private developers and builders, non-profit housing corporations, city departments, and housing agencies to identify potential areas for residential in-fill housing, targeting existing vacant lots.
Relevant Goals and Policies of the Comprehensive Plan may include:
 - GCF Goal 1: Higher density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.

- GCF Goal 2: Priority growth areas attract jobs and residents.
- GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
- GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
- 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.
- H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
- H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
- H P18: Encourage housing to be built with, near or adjacent to retail uses.

Relevant Goals and Objectives of the North Central Community Plan may include:

- Goal 1: Support and promote business and employment development along the commercial corridors that provide for a healthy business climate while supporting the needs of the North Central Neighborhoods Community by aesthetically and environmentally reinforcing their community cultural identity and providing an attractive destination for visitors and shoppers from around the city.
- Goal 2: Encourage the establishment of neighborhood-friendly businesses along the commercial corridors that promote pedestrian accessibility.
- Goal 4: Ensure a transition between residential and commercial areas that is aesthetically pleasing while discouraging encroachment into residential areas.
- Goal 5: Promote future development that is compatible with existing neighborhoods and that incorporates sound stormwater management practices.

- 6. Size of Tract:** The 2.6895 acre site is of sufficient size to accommodate the proposed development.
- 7. Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential and commercial uses. The applicant is requesting to build 350 units. The proposed rezoning includes a request to allow an 8 foot fence along the perimeter. This request can be permitted through the requested rezoning per 35-514 (c)(2)(D) of the Unified Development Code. The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential and commercial uses. The applicant is requesting to build 350 residential units.

The proposed rezoning includes a request to allow an 8-foot fence along the perimeter. This request can be permitted through the requested rezoning per 35-514 (c)(2)(D) of the Unified Development Code.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any

applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.