



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 7, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**  
ZONING CASE Z-2023-10700286

**SUMMARY:**

**Current Zoning:** “C-3 MLOD-2 MLR-2 GC-2 AHOD” General Commercial Military Lighting Overlay Military Lighting Region Airport Hazard Overlay Highway 151 Gateway Corridor Overlay District

**Requested Zoning:** “MF-33 MLOD-2 MLR-2 GC-2 AHOD” Multi-Family Military Lighting Overlay Military Lighting Region Airport Hazard Overlay Highway 151 Gateway Corridor Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 7, 2023

**Case Manager:** Valeria Seca, Senior Planner

**Property Owner:** SPR Ltd

**Applicant:** SPR Ltd

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

**Location:** State Hwy 151

**Legal Description:** 5.185 acres out of NCB 17640

**Total Acreage:** 5.185

**Notices Mailed**

**Owners of Property within 200 feet:** 2

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** Planning

**Property Details**

**Property History:** The subject was annexed into the city by Ordinance 59776, dated December 30, 1984. It was 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

**Code & Permitting Details:**

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

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Apartments

**Direction:** East

**Current Base Zoning:** MF-25, C-2 and C-3

**Current Land Uses:** Apartments, Vacant

**Direction:** South

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

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Commercial Companies

**Overlay District Information:**

The Highway 151 Gateway Corridor District ("GC-2") provides site development standards for properties within 1,000 feet of Highway 151 between Highway 90 and the western City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department. The "MLOD-2" Lackland 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:**

**Transportation**

**Thoroughfare:** State Hwy 151

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is no VIA bus routes within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Worksheet was submitted.

**Parking Information:** The minimum parking requirement for a MF-33 multi-family is 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: C-3 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.

Proposed Zoning: Any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

**FISCAL IMPACT:**

None.

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

The property is within a regional center and 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 Highway 151 and Loop 1604 Plan and is currently designated as “Urban Mixed Use.” The requested “MF-33” is consistent with the future land use designation.
- 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 surrounding zoning is “C-2” Commercial District and “C-3” General Commercial District.
- 3. Suitability as Presently Zoned:** The current "C-3" General Commercial District is appropriate zonings for the property and surrounding area. The proposed "MF-33" Multi-Family District is an appropriate zoning. The proposed “MF-33” zoning would be located of a State highway to accommodate access for residents. The proposed zoning also breaks up the existing commercial zoning and/or uses and aligns with the goals of the Strategic Housing Implementation Plan (SHIP) to provide diverse housing types and increase housing stock to meet the growing population needs.
- 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 rezoning does not appear to conflict with the following goals, principals, and objectives of the Highway 151 and Loop 1604 Plan: Goal 1: Create a cohesive identity for the area while preserving Hill Country character. Goal 3: Leverage education, infrastructure, and business assets to support future economic growth. Goal 5: Provide a diverse array of housing options for all stages of a resident’s life  
  
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Goal 5: Provide a diverse array of housing options for all stages of a resident’s life
- 6. Size of Tract:** The subject property is 5.185 acres, which could reasonably accommodate residential development.
- 7. Other Factors:** The applicant intends to develop in accordance to the zoning regulation which allows 33 units per acres, this could potentially be a maximum of 171 units in the 5.185 acres. The subject area is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to the request. 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 application 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 established regulations, and Section 35-482 for procedures regarding consideration of special exceptions.

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