



City of San Antonio

Agenda Memorandum

File Number:
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Agenda Item Number: {{item.number}}

Agenda Date: December 19, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2022-10700258

SUMMARY:

Current Zoning: “C-1” Light Commercial District, “C-2” Commercial District, “C-2NA” Commercial Nonalcoholic Sales District, “C-3” General Commercial District, “C-3 NA” General Commercial Nonalcoholic Sales District, “I-1” General Industrial District, “I-2” Heavy Industrial District, “MF-33” Multi-Family District, “O-2” High-Rise Office District, “R-4” Residential Single-Family District.

Requested Zoning: “R-1” Single-Family Residential District, “R-2” Single-Family Residential District, “R-3” Single-Family Residential District, “R-3 CD” Single-Family Residential District with a Conditional Use for two, three, or four dwelling units, “R-4” Residential Single-Family District, “R-4 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-5” Residential Single-Family District, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “RM-4” Residential Mixed District, “RM-5” Residential Mixed District, “RM-6” Residential Mixed District, “I-1” General Industrial District, “C-1” Light Commercial District, “C-2” Commercial District, “C-2NA” Commercial Nonalcoholic Sales District, with all overlay districts of “MLOD-3” Martindale Army Military Lighting Overlay, “EP-1” Facility

Parking/Traffic Control District, and “AHOD” Airport Hazard Overlay District remaining unchanged.

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 19, 2023

Case Manager: Alfonso Camacho, Senior Planner

Property Owner: Multiple Owners

Applicant: Development Services Department

Representative: Development Services Department

Location: Harvard Place Eastlawn Large Area Rezoning

Legal Description: NCB 1232, 1233, 1234, 1235, 1236, 1241, 1242, 1244, 1245, 1246, 1247, 1249, 1250, 1251, 1253, 1303, 1304, 1305, 1306, 1307, 1308, 1312, 1313, 1314, 1323, 1324, 1325, 1326, 1330, 1331, 1332, 1333, 1334, 1347, 1350, 1351, 1353, 1354, 1357, 1358, 1359, 1360, 1361, 1362, 1364, 1365, 1366, 2862, 6056, 6057, 6156, 6157, 6158, 6159, 6160, 6340, 6341, 6343, 6375, 6376, 6378, 6449, 6452, 6621, 6622, 6623, 6624, 6625, 6626, 6627, 6628, 6629, 6630, 6631, 6632, 6633, 6907, 6908, 9535, 9536, 9537, 9538, 9539, 9540, 9541, 9543, 9545, 9546 and 9550 generally bounded by East Houston Street to the South, North New Braunfels Avenue to the West, and the Union Pacific Railroad Tracks to the North and East.

Total Acreage: 427

Notices Mailed

Owners of Property within 200 feet: 1,945

Registered Neighborhood Associations within 200 feet: Harvard Place Eastlawn

Applicable Agencies: None

Property Details

Property History: The subject properties were part of the original 36 square miles of the City of San Antonio and most of the area was originally zoned “C” Apartment District, “L” First Manufacturing District and “B” Residential District properties interspersed throughout the project area. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned “C” Apartment District converted to “MF-33” Multi-Family District, properties zoned “L” First Manufacturing District converted to “I-2” Heavy Industrial District, and properties zoned “B” Residential District also converted to “MF-33” Multi-Family 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: Multiple Zoning Districts
Current Land Uses: Single-Family, Commercial, Industrial

Direction: East
Current Base Zoning: Multiple Zoning Districts
Current Land Uses: Industrial, Arts and Entertainment

Direction: South
Current Base Zoning: Multiple Zoning Districts
Current Land Uses: Single-Family, Multi-Family, Commercial

Direction: West
Current Base Zoning: Multiple Zoning Districts
Current Land Uses: Single-Family, Commercial

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. The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas. 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: North New Braunfels, East Houston Street and North Walters Street
Existing Character: (North New Braunfels), Local (all others)
Proposed Changes: None Known

Thoroughfare:
Existing Character:
Proposed Changes:

Public Transit: VIA bus routes are within walking distance of the subject properties.

Traffic Impact: TIA report is not required.

Parking Information: There is no parking requirement.

Thoroughfare: North New Braunfels, East Houston Street and North Walters Street

Existing Character: (North New Braunfels), Local (all others)

Proposed Changes: None Known

Thoroughfare:

Existing Character:

Proposed Changes:

Public Transit: VIA bus routes are within walking distance of the subject properties.

Traffic Impact: TIA report is not required.

Parking Information: There is no parking requirement.

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Existing Character: (North New Braunfels), Local (all others)

Proposed Changes: None Known

Thoroughfare:

Existing Character:

Proposed Changes:

Public Transit: VIA bus routes are within walking distance of the subject properties.

Traffic Impact: TIA report is not required.

Parking Information: There is no parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: C-1 districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining. 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. C-2NA districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited. 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. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited. The 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 heavy industrial district allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling. 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. O-2 districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited. Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: Single-family dwelling with a minimum lot size of 3,000 square feet for R-3, 2,000 square feet for R-2 and 1,250 square feet for R-1 and a minimum lot width of 20 feet, designed to provide options for developing dwelling units for specialized housing markets such as affordable housing, starter homes, and empty nester homes. Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools. Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools. Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools. Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 5,000 square feet and a minimum lot width of 15 feet, public and private schools. Single-family dwelling (detached, attached or townhouse), two-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 6,000 square feet and a minimum lot width of 15 feet, foster family home, public and private schools. Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools. The 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. C-1 districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining. 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. C-2NA districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

FISCAL IMPACT:

There is no fiscal impact.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center and not 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 not located within any existing neighborhood plan, and as such, recommendations are based solely on the appropriateness of zoning designations for each property.
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.
3. **Suitability as Presently Zoned:** Current zoning of the properties in the subject area is a mixture of residential, industrial, and commercial uses. The vast majority of properties in the subject area are zoned “MF-33” Multi-Family District and “I-2” Heavy Industrial District (875 properties out of 2,080 total), despite the fact that almost all of these properties are in fact single-family. No plan amendments required as the area is not part of any neighborhood plan. The 2001 adoption of the Unified Development Code converted all 1938 and 1965 zoning districts to the current zoning districts, in turn, this conversion created some non-conforming uses. The rezoning strategy includes, field and data analysis conducted by staff to make appropriate zoning recommendations based on the current use of properties. Various residentially zoned properties are conditionally zoned for two (2) or more dwelling units as part of the rezoning process to avoid non-conforming uses. Properties were removed from the strategy if already appropriately zoned with their current use.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

5. **Public Policy:** As there is no current neighborhood plan pertaining to the Harvard Place Eastlawn neighborhood, there is no need to coordinate with any specific existing community plans. However, the proposed large area rezoning does not conflict with the following goals and strategies of the SA Tomorrow Comprehensive Plan, the long-range planning document that provides policy guidance for future growth, development, land use, infrastructure, and services. Growth and City Form Goals: • GCF Goal 2: Priority growth areas attract jobs and residents. • GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods. Housing Goals and Policies • Housing Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities. • Housing Goal 4: Improved infrastructure, services and amenities increase market demand and attract residents to priority growth areas.
6. **Size of Tract:** Approximately 427 acres
7. **Other Factors** City Council approved a resolution on July 6, 2023 (2023-08-17-0030R), directing the Development Services Department to initiate a large area rezoning to appropriate zoning districts for property located in the Harvard Place Eastlawn Neighborhood. The goal is to align zoning with the current use of properties in the area. Throughout the past few decades many areas of the center city have had ongoing concerns regarding zoning inconsistencies. These inconsistencies were the result of the code conversion from the “old” zoning code, which utilized an A-J tiered system of zoning, to the new system we use today. The Large Area Rezoning project is meant to correct these nonconforming issues. Staff is recommending a change of zoning on 1,167 properties. 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.