



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 5, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700235

**SUMMARY:**

**Current Zoning:** "I-1 MC-3 AHOD" General Industrial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District, "I-1 AHOD" General Industrial Airport Hazard Overlay District, "C-2 MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District, and "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "MF-33 MC-3 AHOD" Multi-Family Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District, and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2024.

**Case Manager:** Eradio Gomez

**Property Owner:** OM/OV, LP

**Applicant:** Prospera HCS

**Representative:** Bradford McMurray

**Location:** 2330 Austin Highway and 2334 Austin Highway

**Legal Description:** Lot 38 and Lot 39, NCB 12180

**Total Acreage:** 18.1110

**Notices Mailed**

**Owners of Property within 200 feet:** 53

**Registered Neighborhood Associations within 200 feet:** NA

**Applicable Agencies:** Planning Department, Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed into the of City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned “JJ” Commercial District and “F” Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property zoned “JJ” was converted into the “I-1” General Industrial District and the property zoned “F” was converted to “C-2” Commercial District.

**Code & Permitting Details:**

NCU-REN-2024-11400037 Nonconforming Use/Development Preservation Rights Registration Renewal

NCU-REG-2023-11300116 Nonconforming Use/Development Preservation Rights Registration

NCU-APP-2023-11200137 Nonconforming Use/Development Preservation Rights Application

**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:** “C-2”, “R-5”

**Current Land Uses:** Multi-Family, Gas Station, Truck Rental Agency

**Direction:** South

**Current Base Zoning:** “R-5”

**Current Land Uses:** Single-Family Dwellings, Trailer Park, Mobile Home Dealer

**Direction:** East

**Current Base Zoning:** “R-5”

**Current Land Uses:** Single-Family Dwellings

**Direction:** West

**Current Base Zoning:** “R-5”, “C-2”

**Current Land Uses:** Food Service Establishment, Hotel, Fire Station

**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 “MC-3” Austin Highway/Harry Wurzbach Metropolitan Corridor provides

site and building design standards for properties located along the two corridors. Metropolitan Corridors follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city. A zoning review is performed by the Zoning Section of the Development Services Department.

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**Special District Information:**

None

**Transportation**

**Thoroughfare:** Austin Highway

**Existing Character:** Primary Arterial A

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 14, 214

**Traffic Impact:** A Traffic Impact Analysis was submitted. Any further traffic requirements will be evaluated at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for a Multifamily Dwelling (33 units maximum) is 1.5 spaces per units and the maximum parking requirement is 2 spaces per unit.

**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. 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 “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.

**Proposed Zoning:** "MF-33" Multi-Family District permits any uses permitted in MF-33 with a maximum density of 33 units per acre.

**FISCAL IMPACT:**

None.

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

The subject property is located within the NE I-35 and Loop 410 Regional Center but is within ½ a mile of the Commerce-BRT Metro Premium Plus Transit Corridors.

**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 San Antonio International Airport Vicinity Land Use Plan, adopted in 2010, and is currently designated as “High Density Residential” in the future land use component of the plan. The requested “MF-33” Multi-Family base zoning district 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.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District and “I-1” General Industrial District appropriate zonings for the property and surrounding area. The proposed “MF-33” Multi-Family District is also appropriate. The “MF-33” on the property, would permit a density of 33 units per acre, is inconsistent with the area. At 18.1110 acres, the zoning would permit up to 597 units. There is a multi-family development directly across from the subject property.
4. **Health, Safety and Welfare:** Staff has found no indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does not appear to conflict with public policy objectives. 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 Policy 9- 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.
- GCF Policy 13- Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.
- 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 5- High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.
- H Policy 18- Encourage housing to be built with, near or adjacent to retail uses.

Relevant Goals and Objectives of the San Antonio International Vicinity Plan may include:

- Land Use Goal I: Protect the quality of life of residents including health, safety and welfare
- Land Use Objective 1.1 Protect integrity of exiting residential neighborhoods and prevent excessive noise pollution and other airport hazards.

6. **Size of Tract:** The 18.110-acre site is of sufficient size to accommodate the proposed multi-family development.
7. **Other Factors:** The subject property is currently used as an apartment complex, and the proposed zoning is to bring into compliance the existing multi-family use. The property is currently operating under an approved Non-Conforming Use.

The property is proposed for development of multifamily uses that shall not exceed 33 units per acre. At 18.1110 acres, there could potentially be development of 597 units.

Texas Department of Transportation stated the two access points may be allowed onto SL 368. Access location may need to be adjusted to meet spacing criteria. TxDot coordination would be required.