



City of San Antonio

Agenda Memorandum

Agenda Date: October 15, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 9

SUBJECT:
ZONING CASE Z-2024-10700119 ERZD

SUMMARY:

Current Zoning: "C-2 GC-3 MLOD-1 MLR-2 ERZD" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District

Requested Zoning: "MF-33 GC-3 MLOD-1 MLR-2 ERZD" Multi-Family US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 15, 2024

Case Manager: Eradio Gomez, Zoning Senior Planner

Property Owner: Japhet Holdings LTD

Applicant: Japhet Holdings LTD

Representative: Patrick Christensen

Location: 26449 Smithson Valley Road and 26449 Trinity Park

Legal Description: Lot P-15, CB 4865 and Lot P-1 CB 4866

Total Acreage: 15.266 acres

Notices Mailed

Owners of Property within 200 feet: 14

Registered Neighborhood Associations within 200 feet: N/A

Applicable Agencies: Planning Department, SAWS, Camp Bullis Military Base

Property Details

Property History: The property was annexed into the of City of San Antonio by Ordinance 201612010899, dated November 30, 2016, and zoned “C-2” Commercial District.

Code & Permitting History:

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 inclusion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “C-2”

Current Land Uses: Vacant Land, Single- Family Residential

Direction: South

Current Base Zoning: “C-2”, “C-2 CD S”

Current Land Uses: Vacant Land, Conditional Use for a Machine Shop

Direction: East

Current Base Zoning: “OCL”

Current Land Uses: Single-Family Residential

Direction: West

Current Base Zoning: “C-2”

Current Land Uses: Auto Parts Store, Day Spa, Tire Shop

Overlay District Information:

The "MLOD-1" Camp Bullis 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 US 281 Gateway Corridor District (“GC-3”) a provides site development standards for properties within 4,000 feet along the US 281 north right-of-way. 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 "ERZD" Edwards Recharge Zone District does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio

Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the “ERZD”.

Special District Information:

No special district information.

Transportation

Thoroughfare: Bulverde Road

Existing Character: Secondary Arterial A

Proposed Changes: None Known

Thoroughfare: Trinity Park

Existing Character: No data.

Proposed Changes: None Known

Public Transit: There is no public transit within a ½ mile of the subject property.

Traffic Impact: A TIA and Proportional Mitigation Determination Report is required when a property is subject to master development planning, development permitting or rezoning. 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.

Parking Information: The minimum parking requirement for multi-family development is 1.5 spaces per unit. The maximum parking requirement for multi-family development is 2 spaces per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-2” Commercial District accommodates 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: “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 within the Stone Oaks Regional Center and not within a ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and SAWS recommends Approval.

SAWS recommends no more than 50% impervious cover.

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 Sector Plan, adopted in 2010, and is currently designated as "Suburban Tier" in the future land use component of the plan. The requested "MF-33" base zoning district is not consistent with the future land use designation. The applicant will have to request a Plan Amendment to "General Urban Tier".
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:** The existing "C-2" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "MF-33" Multi-Family District is also an appropriate zoning. The subject property is appropriately located, access off an arterial street and provides a buffer between the commercial properties to the west from the single family residential to the east. The proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city's growing population at all income levels.
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 objectives of the North Sector Plan:
 - HOU-1.1 Consider innovative allowances in zoning amendments that promote a variety of housing types in the North Sector and embrace flexible standards, including, but not limited to: zero lot lines, clustering of development, and density bonuses as per the Sector Land Use Plan.
 - HOU-1.2 Encourage compatible growth patterns and transitions of higher density residential along principal arterials and transit corridors that fit in with the existing residential character of the North Sector.
 - HOU Goal 2: High density housing is developed near post-secondary education facilities, principal and arterial transportation routes, and major employment areas.
 - Goal LU-1 Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable.
 - Goal LU-6: Development of livable, walkable communities is encouraged.

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 5: Growth and city form support improved livability in existing and future neighborhoods.
- 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.
- GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
- 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.
- Housing Policy 18: Encourage housing to be built with, near or adjacent to retail uses.

6. **Size of Tract:** The subject property is 15.266 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The applicant intends to rezone to "MF-33" to develop multi-family apartments with a density of 33 units per acre. At 15.266 acres, this would allow a maximum of approximately 503 units on this property. The proposed project will consist of seven apartment building units with associated parking areas.

The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

Based on the information provided to SAWS staff, SAWS identifies the subject property as a Category 2 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 50% on the approximately 15.266-acre portion of the site in the Edwards Aquifer Recharge Zone. Reference SAWS report dated September 24, 2024.

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.