



City of San Antonio

Agenda Memorandum

Agenda Date: December 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 9

SUBJECT:
ZONING CASE Z-2023-10700046 ERZD

SUMMARY:

Current Zoning: "C-3R MLOD-1 MLR-2 AHOD ERZD" General Commercial Restrictive Alcoholic Sales Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District and "O-1 S MLOD-1 MLR-2 AHOD ERZD" Office Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District with a Specific Use Authorization for Commercial Athletic Fields

Requested Zoning: "MF-18 MLOD-1 MLR-2 AHOD ERZD" Limited Density Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 3, 2023. This case was continued from September 5, 2023.

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Edgar K. Markwardt

Applicant: The NRP Group, LLC

Representative: Ortiz McKnight PLLC

Location: 15838 San Pedro Avenue

Legal Description: Lots 2 and 3, save and except 0.396 acres out of NCB 15674

Total Acreage: 3.462

Notices Mailed

Owners of Property within 200 feet: 52

Registered Neighborhood Associations within 200 feet: There are no registered Neighborhood Associations within 200 feet

Applicable Agencies: Camp Bullis, San Antonio Water Systems, Planning Department, Office of Historic Preservation, Aviation, Texas Department of Transportation

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 41429, dated December 25, 1972, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 57548, dated September 8, 1983, with a portion rezoned to "O-1" Office District, and a portion rezoned to "B-3R" Restrictive Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion of the property zoned "O-1" Office District converted to "O-2" High-Rise Office District and the portion of the property "B-3R" Restrictive Business District converted to the current "C-3R" General Commercial Restrictive Alcoholic Sales District. A portion of the property was rezoned by Ordinance 95611, dated April 11, 2002, to the current "O-1 S" Office District with a Specific Use Authorization for Commercial Athletic Fields.

Code & Permitting Details

There is no relevant 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: "C-3 ERZD"

Current Land Uses: Bar

Direction: East

Current Base Zoning: "MH PUD ERZD"

Current Land Uses: Mobile Home Park

Direction: South

Current Base Zoning: "C-2 ERZD"

Current Land Uses: Convivence Store

Direction: West

Current Base Zoning: "OCL ERZD"

Current Land Uses: Restaurant

Overlay District Information:

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".

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 "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:

None.

Transportation

Thoroughfare: San Pedro Avenue

Existing Character: None

Proposed Changes: None Known

Thoroughfare: Paso Del Norte

Existing Character: None

Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 502

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for 18 dwelling units per acre is 1.5 per unit. The maximum parking requirement for 18 dwelling units per acre is 2 per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "C-3R" General Commercial Restrictive Alcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

“O-1 S” Office District allows small and medium office uses, banks, worship facilities, public and private school, employment agency, library, medical clinic, optician, interior decorator studio. Maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited.

The Specific Use Authorization is for Commercial Athletic Fields.

Proposed Zoning: “MF-18” Limited Density Multi-Family District allows multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center or is within ½ a mile from the Premium Transit Corridor

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval.

SAWS recommends no more than 50% impervious cover limitation.

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 and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested MF-18” 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. The proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “C-3R” General Commercial Restrictive Alcoholic Sales District and “O-1” Office District is an appropriate zoning for the property and surrounding area. The requested “MF-18” Limited Density District is also appropriate zoning. There is a mix of zoning designations in proximity to the subject property, which accommodate medium to high commercial intensity and residential uses. Additionally, the request aligns with the goals of the Strategic Housing Implementation Plan (SHIP), which encourages the development of housing to accommodate the city’s growing population.
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

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- 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 Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.

Relevant Goals and Policies of the North Sector 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
- LU-1.3- Promote variety of housing types between Loop 1604 and Loop 410

6. Size of Tract: The 3.462-acre site is of sufficient size to accommodate the proposed residential development.

7. Other Factors: 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.

The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 3.462 acres, there could potentially be development of 62 units.

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 site. Reference SAWS report dated July 26, 2023.

The proposed rezoning is for multi-family 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.