



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 16, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**

ZONING CASE Z-2024-10700280

(Associated Plan Amendment Case PA-2024-11600092)

**SUMMARY:**

**Current Zoning:** "C-3 CD IH-1 AHOD" General Commercial Northeast Gateway Corridor Airport Hazard Overlay District with Conditional Use for RV/Boat Storage, "C-2NA S IH-1 AHOD" Commercial Non-Alcoholic Sales Northeast Gateway Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Tennis Academy, and "C-2 IH-1 AHOD" Commercial Northeast Gateway Corridor Airport Hazard Overlay District

**Requested Zoning:** "MF-33 IH-1 AHOD" Multi-Family Northeast Gateway Corridor Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2024.

**Case Manager:** Eradio Gomez, Zoning Senior Planner

**Property Owner:** Ateg Enterprises, Inc and Marketplace Properties, LLC

**Applicant:** Lonestar Builders c/o Brandan Dennison

**Representative:** Lonestar Builders c/o Brandan Dennison

**Location:** 12591 and 12615 Judson Road

**Legal Description:** Lots 5 and 6, Block 1, NCB 17106 and Lot P-6B, NCB 15724

**Total Acreage:** 9.371

**Notices Mailed**

**Owners of Property within 200 feet:** 37

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

**City-Wide Community Organizations:** T.H.U.G.G.I.N. for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous

**Applicable Agencies:** Randolph, Planning Department, Office of Historic Preservation

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 41430, dated December 25, 1972, and zoned "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property zoned "B-2" Business District was converted into "C-2" Commercial District. A portion of the property was rezoned by Ordinance 2016-02-18-0149, dated February 28, 2016, to "C-3 CD" General Commercial District with a Conditional Use for RV/Boat Storage. The southwestern portion of the property was rezoned by Ordinance 2008-06-19-0632, dated June 29, 2008, to "C-2 NA S" Commercial Nonalcoholic Sales District with a Specific Use Authorization for a Tennis Academy.

**Code & Permitting Details:**

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:** "R-6", "C-2"

**Current Land Uses:** Apartment Complex, Residential Single-Family

**Direction:** South

**Current Base Zoning:** "I-1", "C-3"

**Current Land Uses:** Self Storage, Warehouse Club, Gas Station

**Direction:** East

**Current Base Zoning:** "C-3"

**Current Land Uses:** Vacant Land

**Direction:** West

**Current Base Zoning:** "R-6"

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

**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.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Judson Road

**Existing Character:** Minor, Secondary Arterial A

**Proposed Changes:** None known.

**Public Transit:** There is no public transit within walking distance of the subject property.

**Routes Served:** NA

**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 Multi-Family is 1.5 per unit and the maximum is 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “C-3 CD” General Commercial 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.

The conditional use is for RV/Boat Storage.

“C-2” Commercial 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-2 S NA” Commercial Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

The “S” Specific Use Authorization is for a Tennis Academy.

Proposed Zoning: “MF-33” Multi-Family District allows 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:**

Subject property is not located within a Regional Center and is not located within ½ a mile from Premium Transit Corridors.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval, pending Plan Amendment.

**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” and “Regional Center” in the future land use component of the plan. The requested “MF-33” base zoning district is not consistent with the “Suburban Tier” future land use designation. The applicant has requested a Plan Amendment from “Suburban Tier” to “General Urban Tier”. Staff and Planning Commission recommend Approval.
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. Surrounding properties include “R-6” Residential Single-Family District, “I-1” General Industrial District, and “C-3” General Commercial District.
3. **Suitability as Presently Zoned:** The existing “C-3 CD” General Commercial District with Conditional Use for RV/Boat Storage, “C-2NA S” Commercial Nonalcoholic Sales District with a Specific Use Authorization for a Tennis Academy, and “C-2” Commercial District are an appropriate zoning districts for the property and surrounding area. The proposed “MF-33” Multi-Family District is more appropriate zoning. The proposed “MF-33” would provide a buffer between the existing industrial and commercial uses and zoning to the south of the subject site and a residential transition to the existing “R-6” Residential Single-Family subdivision to the north of the site. The proposed zoning is also 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. Relevant goals and policies of the Comprehensive Plan may include:

- GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
- GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
- H P30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Policies of the North Sector Plan may include:

- 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.

- 6. Size of Tract:** The 9.371-acre site is of sufficient size to accommodate the proposed residential development.
- 7. Other Factors:** The subject property is located within the Randolph AFB 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 33 units per acre. At 9.371 acres, there could potentially be development of 309 units.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single-family district within 50 feet of the property line.

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.