



City of San Antonio

Agenda Memorandum

Agenda Date: August 8, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:

ZONING CASE Z-2024-10700093

(Associated Plan Amendment PA-2024-11600032)

SUMMARY:

Current Zoning: "L AHOD" Light Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

Requested Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 21, 2024

Case Manager: Kellye Sanders, Planning Coordinator

Property Owner: Nacogdoches 38, Ltd, Lorie Bett & Mark Goll, and R&R Loop 1604, LLC

Applicant: Ashton Woods

Representative: Ortiz McKnight, PLLC

Location: 17103 Nacogdoches Road

Legal Description: 88.979 acres out of NCB 16584 and NCB 17658, save and except 0.037 acres out of NCB 16584

Total Acreage: 88.942

Notices Mailed

Owners of Property within 200 feet: 13

Registered Neighborhood Associations within 200 feet: Northeast Neighborhood Alliance

Applicable Agencies: Planning Department, Public Works Department

Property Details

Property History: Subject property was annexed into the City of San Antonio by Ordinance 66022, dated December 31, 1987, and zoned Temporary "R-1" Residence District. The property was rezoned by Ordinance 66444, dated January 21, 1988, to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "B-3" Business District converted to "C-3" General Commercial District. A portion of the property was rezoned by Ordinance 2006-08-17-0957, dated August 17, 2006, to "L" Light Industrial District. Another portion of the property was rezoned by Ordinance 2021-11-18-0898, dated November 18, 2021, to "L" Light Industrial District.

Code & Permitting Details: There is no code enforcement or permitting history for the subject property.

Topography: A portion of subject property is located with the 100 Year Flood Plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: QD S

Current Land Uses: Vacant Land

Direction: South

Current Base Zoning: C-3, R-5

Current Land Uses: Rolling Meadows Elementary, Sign Shop, Single-Family Residential Neighborhood

Direction: East

Current Base Zoning: C-3, C-3R, C-2

Current Land Uses: Vacant Land, Offices, Halfway House, Cemetery

Direction: West

Current Base Zoning: C-3, I-1

Current Land Uses: Rolling Oaks Mall, Vacant Land, Gun Shop

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:

N/A

Transportation

Thoroughfare: Nacogdoches Road

Existing Character: Secondary Arterial

Proposed Changes: None known

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

Routes Served: N/A

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 Dwelling - 1 Family (Detached) is 1 space unit, and there is no maximum parking requirement.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "L" Light Industrial District provides for a mix of light manufacturing uses, office park, flex-space with limited retail and service uses that serve the industrial development in the zone. Examples of permitted uses: auto sales & repair, wrecker services, cabinet/carpenter shop, can recycle collection station (no shredding), lumber yard and building materials, mobile vending base operations, machine shop, equipment & event rentals, tree service, moving company.

"C-3" 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.

Proposed Zoning: "R-4" Residential Single-Family District permits 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.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within the Rolling Oaks Area Regional Center and within ½ a mile from the Austin Highway Premium Transit Corridor.

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:** A portion of the subject property is located within the North Sector Plan, adopted in 2010, and is currently designated as "Specialized Center" in the future land use component of the plan. The requested "R-4" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Suburban 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.
3. **Suitability as Presently Zoned:** The current "L" Light Industrial District and "C-3" General Commercial District are appropriate zoning districts for the property and surrounding area. The proposed "R-4" Residential Single-Family District is also appropriate. The proposed use is not out of character, with established residential neighborhood across the street and further south along 1604 into the City of Selma. Furthermore, the request aligns with the goals of the Strategic Housing Implementation Plan (SHIP) which supports the development of additional and 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 5: Growth and city form support improved livability in existing and future neighborhoods.
 - GCF P13: 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.

Relevant Goals and Objectives 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.
- Goal LU-6 Development of livable, walkable communities is encouraged.
- LU-6.5 Encourage development that is visually and functionally compatible with its surrounding neighborhoods by maintaining a massing and density of development that is compatible with adjacent developed neighborhoods.

6. Size of Tract: The 88.979 acre site is of sufficient size to accommodate the proposed residential development.

7. Other Factors: The property is proposed for development of a residential subdivision with lot sizes of 4,000 square feet. At 88.979 acres, there could potentially be development of 979 lots.

The rear portion (northern end) of the subject site is inundated by the effective FEMA 100-year floodplain. Construction within the floodplain is prohibited without Public Works approval and a Floodplain Development Permit. If the site is to be developed, it is recommended that the developer coordinate with Public Works Department to prior to any plat or permit applications are submitted.