



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 17, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**

ZONING CASE Z-2023-10700168 CD  
(Associated Plan Amendment PA-2023-11600044)

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Warehouse

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 17, 2023

**Case Manager:** Camryn Blackmon, Zoning Planner

**Property Owner:** McCombs Family Partners LTD

**Applicant:** McCombs Family Partners GP, LLC.

**Representative:** Brown & McDonald PLLC

**Location:** Generally located in the 7000 block of North Loop 1604 East

**Legal Description:** 105.311 acres out of NCB 16587

**Total Acreage:** 105.311

### **Notices Mailed**

**Owners of Property within 200 feet:** 86

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

**Applicable Agencies:** Randolph AFB, Parks and Recreation Department, Texas Department of Transportation, Planning Department

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 66023, dated December 30, 1987, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 66444, dated January 21, 1988, to "B-3" Business District and "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District and "B-2" Business District converted to the current "C-3" General Commercial District and "C-2" Commercial 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:** "L"

**Current Land Uses:** Sports Center

**Direction:** East

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

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:** "OCL"

**Current Land Uses:** Vacant

**Direction:** West

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

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

### **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:** North Loop 1604 East

**Existing Character:** Interstate

**Proposed Changes:** None Known

**Thoroughfare:** Nacogdoches Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None Known

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

**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 25 units per acre is 1.5 per unit. The maximum parking requirement for multi-family 25 units per acre is 2 per unit. The minimum parking requirement for Office Warehouse is 1 per 2,00 sf GFA. The maximum parking requirement for Office Warehouse is 1 per 2,000 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “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.

“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-25” Low Density Multi-Family District allows any uses permitted plus in MF-18 plus college fraternity dwelling, off-campus school dormitory/housing, but with a maximum density of 25 units per acre.

“C-2 CD” 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.

The Conditional Use is to permit a Warehouse.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 August 2010, and is currently designated as “Natural Tier” and “Suburban Tier” in the future land use component of the plan. The requested “MF-25” and “C-2” base zoning districts are not consistent with the future land use designation. The applicant has requested a Plan Amendment 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.
3. **Suitability as Presently Zoned:** The existing “C-3” General Commercial District and “C-2” Commercial Districts are appropriate zoning for the property and surrounding area. The requested “MF-25” Low Density Multi-Family District and “C-2 CD” Commercial District with a Conditional Use for a Warehouse are also appropriate. The request includes 49.172 acres to be rezoned to “C-2 CD” Commercial District with a Conditional Use for Warehouse and 56.139 acres to be zoned “MF-25” Low Density Multi-Family District. There is a variety of residential zoning to the west of the property and established commercial zoning along North Loop 1604 East. The request maintains the base “C-2” Commercial District zoning and the Conditional Use allows consideration of the Warehouse use with a prescribed site plan.
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 objective.

**Relevant Goals and Strategies of the North Sector Plan may include:**

- Land Use (LU) Goal 1: Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable.
- LU Strategy 1.1: Locate buffers between high density/intensity land uses that are potentially incompatible.
- LU Strategy 1.3: Promote a variety of housing types, including apartments, lofts, condominiums, townhouses and single family attached and detached housing between Loop 1604 and Loop 410.
- LU Goal 6: Development of livable, walkable communities is encouraged.
- LU Strategy 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.
- Housing Goal 1: Continued support for development of diverse housing stock using infill housing development between Loop 1604 and Loop 410.
- Housing Strategy 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.
- Housing Strategy 2.3: Utilize High Density Residential as a buffer between principal and arterial roadways / non-residential (i.e. office, retail, commercial uses) and lower density residential housing.
- Economic Development Goal 1: Compatible economic development along major transportation routes and existing activity centers that do not interfere with the mission of Camp Bullis.
- Natural Resources Strategy 3.1: Where feasible, incorporate low impact development features to reduce the need for structural onsite retention facilities and foster healthy vegetation through natural infiltration.

**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 2: Priority growth areas attract jobs and residents.
- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF Policy 7: Ensure employment centers provide a variety of land uses and infrastructure that will allow the city to remain economically competitive.
- GCF Policy 14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding higher-density development.
- Housing 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 Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.
- Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

- Natural Resources and Environmental Sustainability Goal 2: San Antonio balances environmental goals with business and community needs.
6. **Size of Tract:** The 105.311-acre site is of sufficient size to accommodate the proposed residential and commercial 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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant is rezoning to develop a warehouse.

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 property is proposed for development of multifamily uses that shall not exceed 25 units per acre. At 56.139 acres, there could potentially be development of 1,403 units.