



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 16, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 9

**SUBJECT:**

ZONING CASE Z-2022-10700105

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District, "C-3 R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District, and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District

**Requested Zoning:** "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2022

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** Evander Partners, a Texas General Partnership

**Applicant:** Maple Multi-Family Land TX, L.P.

**Representative:** The Kaufman Group

**Location:** 9318 Jones Maltsberger Road

**Legal Description:** 15.125 acres out of NCB 8680 and NCB 8682

**Total Acreage:** 15.125 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 20

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

**Applicable Agencies:** Aviation, Planning Department, TxDOT

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on October 11, 1944 by Ordinance 1446 and originally zoned "A" Single-Family Residence District and "B" Residence District. A portion of the property was rezoned under Ordinance 49929, dated October 12, 1978 from "B" Residence District to "B-3" Business District and "B-3R" Restrictive Business District. Another portion of the property rezoned under Ordinance 53712, dated April 30, 1981 from "A" Single-Family Residence District, "R-2" Two-Family Residence District, and "R-3" Multiple-Family Residence District to "B-3" Business District, "B-3R" Restrictive Business District, and "O-1" Office District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District, "B-3R" Restrictive Business District, and "O-1" Office District converted to the current "C-3" General Commercial District, "C-3R" General Commercial Restrictive Alcohol Sales District, and "O-2" High-rise Office District.

**Topography:** A portion of the property is located within a 100-year flood plain. The subject property is also located within the Aquifer Artesian Zone and Upper SAR Watershed.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Offices

**Direction:** South

**Current Base Zoning:** R-5, O-2, I-1

**Current Land Uses:** Single-Family Homes, Empty Space

**Direction:** East

**Current Base Zoning:** UZROW, C-3

**Current Land Uses:** US 281

**Direction:** West

**Current Base Zoning:** R-4, C-1

**Current Land Uses:** Plumbing, Service, Natatorium, Tennis Academy and Center, Business Park, Single-Family Homes

### **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:** Jones Maltsberger Road**Existing Character:** Secondary Arterial B**Proposed Changes:** None**Thoroughfare:** US 281**Existing Character:** Primary Arterial A**Proposed Changes:** None**Public Transit:** There are no VIA bus routes within proximity to the subject property.**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.**Parking Information:** The minimum parking requirement is one (1) per unit.**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-3R" General Commercial Restrictive Alcohol Sales districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

"O-2" High-Rise Office districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as "permitted" in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

Proposed Zoning: "MF-25" Low Density Multi-Family District allows multi-family to a maximum density of 25 units per acre.

**FISCAL IMPACT:** None.**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is located within the Greater Airport Area Regional Center and is located within proximity to a Premium Transit Corridor.

**RECOMMENDATION:**

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

**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 San Antonio International Airport Vicinity Plan and is currently designated as "Mixed Use" in the future land use component of the plan. The requested "MF-25" 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. Surrounding properties are primarily "C-1" Light Commercial, "C-3" General Commercial, "R-4" Residential Single-Family and "R-5" Residential Single-Family zoning districts. The property abuts US Highway 281 North and is located on a Secondary Arterial Type B, making it an appropriate location for higher intensity land use and helping to mitigate possible neighborhood encroachment.
3. **Suitability as Presently Zoned:** The existing "C-3" General Commercial District, "C-3 R" General Commercial Restrictive Alcohol Sales District, and "O-2" High-Rise Office District are appropriate zonings for the property and the surrounding area. The proposed "MF-25" Low Density Multi-Family District is also an appropriate zoning for the property and the surrounding area.
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 San Antonio International Airport Vicinity Plan.

**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 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 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.
- H Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.
- H P18: Encourage housing to be built with, near or adjacent to retail uses.

**Relevant Goals and Policies SA International Airport Vicinity Plan may include:**

- The location of the use does not interfere with the Airports approach corridors and will not be at risk due to flight path.
- The San Antonio Airport Vicinity Plan references higher density uses along Jones Maltsberger to include medium density residential up to MF-25 and/or mix of commercial types.

- 6. Size of Tract:** The 15.34-acre site is of sufficient size to accommodate the proposed residential development.
- 7. Other Factors:** The applicant intends to construct a multi-family development at the Southwest corner of Jones Maltsberger and US Highway 281 North. The subject area is currently surrounded by a mix of uses and direct access to arterial systems without neighborhood encroachment.