



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** July 19, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 9

**SUBJECT:**

ZONING CASE Z-2022-10700128 ERZD

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-1 MLR-2 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Aquifer Recharge Zone District

**Requested Zoning:** "MF-33 MLOD-1 MLR-2 ERZD" Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Aquifer Recharge Zone District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 19, 2022

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** BCG Encino Holdings, LTD

**Applicant:** High Rustler Ventures, LLC

**Representative:** Killen, Griffin, & Farrimond, PLLC

**Location:** 19000 Block of US Highway 281 North

**Legal Description:** Lot P-9, NCB 17586

**Total Acreage:** 9.32

**Notices Mailed**

**Owners of Property within 200 feet:** 7

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** Planning Department, San Antonio Water Systems, Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 59768, dated December 30, 1984 and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 60628, dated May 2, 1985 to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

**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

**Current Land Uses:** Car Wash

**Direction:** South

**Current Base Zoning:** C-3

**Current Land Uses:** Church

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Church

**Direction:** West

**Current Base Zoning:** UZROW

**Current Land Uses:** US Highway 281

**Overlay District Information:**

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 "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".

**Special District Information:**

N/A.

**Transportation**

**Thoroughfare:** US Highway 281

**Existing Character:** None Known

**Proposed Changes:** Interstate

**Public Transit:** There is no Public Transit within walking distance of the Subject Property.

**Traffic Impact:** The traffic generated by the proposed development has increase it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502\*\*

A TIA Report will be required.

**Parking Information:** The minimum parking for Dwelling Multi-Family is 1.5 spaces per unit. Thus, for 251 units, the minimum parking required is 377 spaces.

**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.

Proposed Zoning: "MF-33" Multi-Family District allows multi-family development to a maximum density of 33 units per acre.

**FISCAL IMPACT:**

None.

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

Subject property is located with the Stone Oak Regional Center but is not within ½ a mile from a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis & Recommendation:** Staff and SAWS recommend Approval.

SAWS recommends impervious cover limitation of 60%.

**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 “Regional Center” in the future land use component of the plan. The requested “MF-33” 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-3” General Commercial District is an appropriate zoning for the property and surrounding area. The requested “MF-33” Multi-Family District is also an appropriate for the subject property and allows for an alternate housing option, as well as acts as a transitional buffer between higher intensity “C-3” General Commercial zoning and other more intense uses.
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 Strategies of the North Sector Plan may include:**

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 HOU-2 High density housing is developed near post-secondary education facilities, principal and arterial transportation routes, and major employment areas.

HOU-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.

HOU-2.4 Consider the use of High Density Residential along the periphery of concentrated employment areas to foster a compatible land use transition between single family detached/attached residential neighborhoods and concentrated locations of non-residential uses.

6. **Size of Tract:** The 9.32 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The property is proposed for development of multi-family uses that shall not exceed 33 units per acre. At 9.32 acres, there could potentially be development of 307 units. The applicant has indicated that they intend to construct 251 units.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends approval of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with SAWS recommendations in regard to

the development of the subject property. SAWS Recommends the impervious cover not to exceed 60% on the approximately 9.32-acre site.