



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 6, 2024

**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-2023-10700377

**SUMMARY:**

**Current Zoning:** "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Quarry

**Requested Zoning:** "ED AHOD" Entertainment Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2024

**Case Manager:** Vincent Trevino; Senior Zoning Planner

**Property Owner:** Plant Asset Venture B, LP c/o Plant Asset Venture B GP, LLC c/o Lloyd A. Denton

**Applicant:** Plant Asset Venture B, LP c/o Plant Asset Venture B GP, LLC c/o Lloyd A. Denton

**Representative:** Brown & McDonald, PLLC c/o MiaMarie Pugh

**Location:** 10440 Wurzbach Parkway

**Legal Description:** 3.343 acres out of NCB 14945

**Total Acreage:** 3.343

### **Notices Mailed**

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

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

**Applicable Agencies:** Aviation

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 39443, dated May 26, 1971 and zoned Temporary "R-1" Single Family Residential District. The property was rezoned by Ordinance 44911, dated February 13, 1975 to "I-2" SUP Heavy Industrial District Special Use Permit for Manufacturing of Cement. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-2 S" SUP Heavy Industrial District Special Use Permit for Manufacturing of Cement District converted to the current "I-2 S" Heavy Industrial District Special Use with Specific Use Authorization for Manufacturing of Cement

### **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 incursion in a floodplain.

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

**Direction:** North

**Current Base Zoning:** UZROW

**Current Land Uses:** UZROW

**Direction:** South

**Current Base Zoning:**

**Current Land Uses:** Entertainment District

**Direction:** East

**Current Base Zoning:**

**Current Land Uses:** Entertainment District

**Direction:** West

**Current Base Zoning:**

**Current Land Uses:** Entertainment District

### **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:** Wurzbach Parkway

**Existing Character:** Principal Super Arterial A

**Proposed Changes:** None Known

**Thoroughfare:** Tool Yard

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject 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 parking requirements for Dwelling-Multi-Family uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** "I-2 S" Heavy Industrial The heavy industrial district allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling.

The "S" Specific Use Authorization is currently for a Quarry use.

**Proposed Zoning:** Districts which include as a primary use a theme park or destination resort that is developed as a regional tourist entertainment facility.

**FISCAL IMPACT:**

None.

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

Subject property is located with the NE I-35 and Loop 410 Regional Center and within ½ a mile from the Austin Highway Metro Premium Plus Transit Corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 NE I-35 and Loop 410 Area Regional Center Plan, adopted in September 2022, and is currently designated as Regional Mixed Use in the future land use component of the plan. The requested “ED” 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/ is not consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Quarry is an appropriate zoning for the property and surrounding area. The proposed “ED” Entertainment District is also an appropriate zoning for the property and surrounding area. The property is placed and sized to adequately accommodate the proposed development. The applicant is seeking the “ED” Entertainment District to permit Multi-Family Housing that aligns more with the existing Multi-Family uses along Wurzbach Parkway. The intensity of heavy industrial has decreased in the area and the proposed “ED” Entertainment District is more appropriate and aligns and creates continuity of zoning in the area. The rezoning will allow for mixed use development.
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 of the NE I-35 and Loop 410 Area Regional Plan. Relevant Goals and Policies of the Comprehensive Plan may include: Housing Goals: H Goal 1-Housing for lower-income residents is available throughout the community with the greatest proportion in priority growth areas with high levels of connectivity and amenities. 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 3- Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities. Relevant Goals and Policies of the NE I-35 and Loop 410 Area Regional Plan may include: Goal 1: Encourage economic development and business diversity that nurture positive community identity.

**Relevant Goals of the NE I-35 and Loop 410 Area Regional Center Plan include:**

Goal 1: Encourage economic development and business diversity that nurture positive community identity.

Goal 2: Promote community well-being and safety.

6. **Size of Tract:** The 3.343acre site is of sufficient size to accommodate the proposed multi-family development.

7. **Other Factors:** This “ED” rezoning proposes multi-family development and uses consistent with the existing and surrounding “ED” zoning and uses. According to the applicant, the intended purpose of the "ED" base zoning district is to permit Multi-Family (Low-Rise). There is multi-family to the northeast of the subject property.