



City of San Antonio

Agenda Memorandum

Agenda Date: November 4, 2021

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:

ZONING CASE Z-2021-10700227

(Associated Plan Amendment PA-2021-11600074)

SUMMARY:

Current Zoning: "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District, and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

Requested Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 5, 2021

Case Manager: Richard Bautista-Vazquez, Planner

Property Owner: Santikos Raw Land LL

Applicant: Drenner Group, PC

Representative: Drenner Group, PC

Location: Generally located in the 17000 block of Green Mountain

Legal Description: Lot P-1 & Lot P-5 NCB 16583

Total Acreage: 29.773

Notices Mailed

Owners of Property within 200 feet: 11

Registered Neighborhood Associations within 200 feet: Green Mountain/Emerald Point Home Owners Association

Applicable Agencies: None

Property Details

Property History: This subject property was annexed into the City of San Antonio by Ordinance 61614 and Ordinance 61622 both dated December 29, 1985 and zoned "Temp R-1" Single-Family District. The property was rezoned by Ordinance 63,217, dated July 10, 1986 to "B-3" Business District and "B-3NA" Business Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93,881, dated May 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District and "C-3NA" General Commercial Nonalcoholic Sales District. Ordinance 2019-06-20-0582 dated June 20, 2019, rezoned the southern section of the property to "MF-33" Multi-Family 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: "I-1", "C-3"

Current Land Uses: Warehouse

Direction: East

Current Base Zoning: C-3

Current Land Uses: Shopping Center

Direction: South

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

Current Land Uses: Gas Station, Empty Lots

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: Green Mountain Road

Existing Character: Secondary Arterial A

Proposed Changes: None Known

Public Transit: There is one VIA bus route.

Route Served: 640

Traffic Impact: Median Openings dedication and improvement may be required along Green Mountain Road.

Parking Information: The minimum parking requirements for Dwelling-Multi-Family is 1.5 per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-2NA” Commercial Nonalcoholic Sales districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited. C-3 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. Any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

The “NA” Nonalcoholic Sales prohibits the sale of alcohol on the property.

Proposed Zoning: “MF-33” Multi-family districts allow any uses permitted in MF-33 but with a maximum density of 33 units per acre.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is within the Rolling Oaks Regional Center and the 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 and is currently designated as General Urban Tier and Suburban Tier in the future land use component of the plan. The requested "MF-33" base zoning district is not consistent with the Suburban Tier 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. Property to the south is zoned "MF-33" Multi-Family District.
3. **Suitability as Presently Zoned:** The existing "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District, and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District is an appropriate zoning for the property and surrounding area. The proposed "MF-33" Multi-Family is consistent with surrounding zoning and provides a transition between residential, commercial and industrial uses in the area. The proposed "MF-33" is also appropriate along North Loop 1604 East.
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 or North Sector Plan.

GOALS/STRATEGIES:

LU-1.1 Locate buffers between high density/intensity land uses that are potentially incompatible.

LU-3.1 Set priority for pursuing a compatible and highest and best use for development of vacant infill and underutilized parcels between Loop 1604 and Loop 410 in a compatible manner as recommended in the Sector Land Use Plan.

6. **Size of Tract:** The 29.730 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors** The applicant is rezoning for multi-family development. At a density of 33 units per acre the maximum units allowed would be 981.