



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 4, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2022-10700329

**SUMMARY:**

**Current Zoning:** “C-2 NA” Commercial Nonalcoholic District, “C-3” General Commercial District, “I-1” General Industrial District, “I-2” Heavy Industrial District, “MF-25” Low Density Multi-Family District, “MF-33” Multi-Family District, “O-2” High-Rise Office District, “R-4” Residential Single-Family District, and “RM-4” Residential Mixed District

**Requested Zoning:** “C-3” General Commercial District, “I-1” General Industrial District, “L” Light Industrial District, “NC” Neighborhood Commercial District, “MF-18” Limited Density Multi-Family District, “MF-33” Multi-Family District, “MF-65” Multi-Family District, “O-1” Office District, “O-1.5” Mid-Rise Office District, “R-1” Residential Single-Family District, “R-2” Residential Single-Family District, “R-3” Residential Single-Family District, “R-3 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-4” Residential Single-Family District, “R-4 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-5” Residential Single-Family District, “R-5 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units “RM-4” Residential Mixed District, “RM-5” Residential Mixed District, and “RM-6” Residential Mixed District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 4, 2023

**Case Manager:** Chris Van Aken, Senior Planner

**Property Owner:** Multiple Owners

**Applicant:** Development Services Department

**Representative:** Development Services Department

**Location:** generally bounded by Interstate 10 and Leal Street to the North, Interstate 10 to the East, Brazos Street and Martinez and Alazan Creeks to the West, and Martin Street and Commerce Street to the South

**Legal Description:** 241.03 acres out of NCB 196, 198, 199, 200, 201, 203, 205, 206, 221, 225, 246, 247, 249, 250, 251, 255, 258, 260, 261, 262, 263, 264, 285, 286, 290, 299, 2081, 2082, 2117, 2118, 2151, 2152, 2153, 2154, 2158, 2180, 2181, 2182, 2183, 2208, 2209, 2210, 2211, 2212, 2214, 2216, 2217, 2226, 2227, 2228, 2229, 2230, 2231, 3540, 7579, and 7580

**Total Acreage:** 241.03

**Notices Mailed**

**Owners of Property within 200 feet:** 1,022

**Registered Neighborhood Associations within 200 feet:** Gardendale Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject properties were part of the original 36 square miles of the City of San Antonio and most of the area was originally zoned “C” Apartment District, with some “J” Commercial District and “F” Local Retail District properties interspersed throughout the project area. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned “C” Apartment District converted to “MF-33” Multi-Family District, properties zoned “J” Commercial District converted to “I-1” General Industrial District, and properties zoned “F” Local Retail District converted to “C-2” Commercial District. Portions of the area delineated in the Resolution approving this Large Area Rezoning were included in the previous West End Hope in Action (WEHA) Large Area Rezoning project and have therefore been excluded from the Gardendale Large Area Rezoning.

**Topography:** The project area is partially located in the 100-year floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial

**Direction:** East

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial

**Direction:** South

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial

**Direction:** West

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial

**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. The "MLOD-2" Lackland 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.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** West Martin Street

**Existing Character:** Minor

**Proposed Changes:** None Known

**Thoroughfare:** North Colorado Street

**Existing Character:** Minor

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject properties.

**Traffic Impact:** TIA report is not required.

**Parking Information:** There is no parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: C-2NA 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. The general industrial district accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage. 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. 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. 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. O-2 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. Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools. Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

Proposed Zoning: 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. The general industrial district accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage. The light industrial district provides for a mix of light manufacturing uses, office park, flex-space with limited retail

and service uses that serve the industrial development in the zone. Examples of permitted uses: auto sales & repair, wrecker services, cabinet/carpenter shop, can recycle collection station (no shredding), lumber yard and building materials, mobile vending base operations, machine shop, equipment & event rentals, tree service, moving company. Provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant. 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. Small and medium office uses, banks, worship facilities, public and private school, employment agency, library, medical clinic, optician, interior decorator studio. Maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited. Any uses permitted in O-1 but with an unlimited building size and a maximum height of 60 feet. Outdoor display or sale of merchandise is prohibited. Single-family dwelling with a minimum lot size of 3,000 square feet for R-3, 2,000 square feet for R-2 and 1,250 square feet for R-1 and a minimum lot width of 20 feet, designed to provide options for developing dwelling units for specialized housing markets such as affordable housing, starter homes, and empty nester homes. Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools. Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools. Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools. Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools. Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 5,000 square feet and a minimum lot width of 15 feet, public and private schools. Single-family dwelling (detached, attached or townhouse), two-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 6,000 square feet and a minimum lot width of 15 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

There is no fiscal impact.

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

The subject area is located within the Downtown Regional Center and is within a Premium 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 partially within the Downtown Area Regional Center Adopted Plan and, as such, recommendations are consistent with the future land use designations.
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:** Current zoning of the properties in the subject area is a mixture of residential, industrial, and commercial uses. Staff has reviewed each property for suitability as presently zoned and have made recommendations that 268 properties undergo a zone change. The 2001 adoption of the Unified Development Code converted all 1938 and 1965 zoning districts to the current zoning districts, in turn, this conversion created some non-conforming uses. The rezoning strategy includes, field and data analysis conducted by staff to make appropriate zoning recommendations based on the current use of properties. Various residentially zoned properties are conditionally zoned for two (2) or more dwelling units as part of the rezoning process to avoid non-conforming uses. Properties were removed from the strategy if already appropriately zoned with their current use.
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 proposed large area rezoning does not conflict with the following goals and strategies of the SA Tomorrow Comprehensive Plan, the long-range planning document that provides policy guidance for future growth, development, land use, infrastructure, and services. Growth and City Form Goals: • 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. Housing Goals and Policies • Housing Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities. • Housing Goal 4: Improved infrastructure, services and amenities increase market demand and attract residents to priority growth areas.
6. **Size of Tract:** Approximately 241.03 acres.
7. **Other Factors:** City Council approved a resolution on June 16, 2022 (2022-06-16-0030R), directing the Development Services Department to initiate a large area rezoning to appropriate zoning districts for property located in the Gardendale Neighborhood. The goal is to align zoning with the current use of properties in the area. Throughout the past few decades many areas of the center city have had ongoing concerns regarding zoning inconsistencies. These inconsistencies were the result of the code conversion from the “old” zoning code, which utilized an A-J tiered system of zoning, to the new system we use today. The Large Area Rezoning project is meant to correct these nonconforming issues. Staff is recommending a change of zoning on 268 properties. The Gardendale Large Area Rezoning is a single-phase project, unlike some other Large Area Rezoning projects, and this concludes staff’s recommendations for this area. 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.