



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-4773

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 7/20/2021

**Title:** ZONING CASE Z-2021-10700150 (Council District 10): A request for a change in zoning from "C-3 IH-1 AHOD" General Commercial Northeast Gateway Corridor Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "MF-33 IH-1 AHOD" Multifamily Northeast Gateway Corridor Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 25.627 acres out of NCB 14049, located at 12765 North Interstate 35. Staff recommends Approval. (Lorianne Thennes, Senior Planner, (210) 207-7945, [lorianne.thennes@sanantonio.gov](mailto:lorianne.thennes@sanantonio.gov), Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:** Zoning Case Z2021-10700150

### SUMMARY:

**Current Zoning:** "C-3 IH-1 AHOD" General Commercial Northeast Gateway Corridor Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "MF-33 IH-1 AHOD" Multifamily Northeast Gateway Corridor Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

### BACKGROUND INFORMATION:

**Zoning Commission Hearing Date:** July 20, 2021

**Case Manager:** Lorianne Thennes, Senior Planner

**Property Owner:** Laredo Toepp, Ltd.

**Applicant:** WRDEVCO, Ltd.

**Representative:** Brown & Ortiz, P.C.

**Location:** 12765 North Interstate 35

**Legal Description:** 25.627 acres out of NCB 14049

**Total Acreage:** 25.627 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 11

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Planning Department, Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed into the city by Ordinance 79034, dated December 30, 1993 and was originally zoned "B-3" Business District and "I-1" Light Industry District. The previous "B-3" district converted to the current "C-3" General Commercial District and the previous "I-1" district converted to the General Industrial District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The "I-1" portion of the property was rezoned to "C-3" by Ordinance 2007-09-06-0964, dated September 6, 2007.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-5," "I-1" and "MF-33"

**Current Land Uses:** Single-family dwellings and vacant

**Direction:** East

**Current Base Zoning:** "OCL"

**Current Land Uses:** Renal care office, auto auction, vacant

**Direction:** South

**Current Base Zoning:** "UZROW"

**Current Land Uses:** Interstate 35 North

**Direction:** West

**Current Base Zoning:** "C-3," "C-2" and "MF-33"

**Current Land Uses:** Vacant

**Overlay and Special District Information:**

"IH"

The Northeast Gateway Corridor District ("IH-1") provides site development standards for commercial properties up to 1,000 feet of Interstate 35 between Walzem Road and the northern City Limits. The standards primarily address building placement, landscaping, building materials, façade design and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department.

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

### **Transportation**

**Thoroughfare:** Toepperwein Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None

**Thoroughfare:** Interstate 35 North

**Existing Character:** Interstate

**Proposed Changes:** None

**Public Transit:** There are no VIA bus routes within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for multi-family use is 1.5 spaces per unit.

**ISSUE:** None.

### **ALTERNATIVES:**

**Current:** The current "C-3" General Commercial District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

**Proposed:** The proposed "MF-33" Multi-Family District is the designation for multi-family use with a maximum density of up to thirty-three (33) units per acre, depending on unit size. An "MF-33" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

**FISCAL IMPACT:** None.

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

The property is not within a regional center or 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 the approval criteria below.

**1. Consistency:**

The subject property is located within the North Sector Plan and is currently designated as “General Urban Tier.” The requested “MF-33” 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.

**3. Suitability as Presently Zoned:**

The proposed "MF-33" Multi-Family District is an appropriate zoning for the property and 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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the North Sector Plan:

Goal HOU-1- Continued support for development of diverse housing stock using infill housing development between Loop 1604 and Loop 410.

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

Goal 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.

The subject property falls within the “Southeast Quadrant” of the North Sector Plan. The portion of the subject property that falls within the boundary of the Northeast Gateway Corridor Overlay District (Ordinance No. 99358 dated June 24, 2004) is subject to additional design and development standards. Because the subject property is currently undeveloped, it presents an opportunity for low-impact development and integration of other green infrastructure elements.

**6. Size of Tract:**

The subject property is 25.627 acres, which could reasonably accommodate multi-family use.

**7. Other Factors:**

The proposed project is an extension of property that is currently zoned “MF-33” for a total of 58 acres. The applicant is proposing 300 units in total for the 58 acres in which 145 units of the 300 units are proposed for the area to be rezoned.

The subject property of 25 acres could have a potential for 846 units at 33 units per acre.