



# City of San Antonio

## Agenda Memorandum

**File Number:**16-1142

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**Agenda Item Number:** 28.

**Agenda Date:** 1/19/2016

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2016059

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "MF-65 AHOD" Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 19, 2016

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owners:** Tierra De Los Nietos Limited Partnership, by its General Prtner, T.E. Turner, LLC, by its Member Frederick ("Rick") Turner & Tetco Land Inc, by its Director: Frederick ("Rick") Turner

**Applicant:** Tierra De Los Nietos Limited Partnership, by its General Prtner, T.E. Turner, LLC, by its Member Frederick ("Rick") Turner & Tetco Land Inc, by its Director: Frederick ("Rick") Turner

**Representative:** Brown & Ortiz, P.C. (c/o James B. Griffin)

**Location:** 2700 and 2800 Babcock Road

**Legal Description:** 3.399 acres of land out of NCB 13666

**Total Acreage:** 3.399

**Notices Mailed**

**Owners of Property within 200 feet:** 19

**Registered Neighborhood Associations within 200 feet:** Village at Rustic Oaks

**Applicable Agencies:** San Antonio Aviation Department

### **Property Details**

**Property History:** The subject property is currently undeveloped and was annexed in 1963. The subject site was originally zoned “A” Residence District. In a 1968 case, the property was rezoned to “B-3” Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “C-3” General Commercial District.

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

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

**Direction:** North

**Current Base Zoning:** MF-33, C-3

**Current Land Uses:** Apartments and Social Service Office

**Direction:** South and West

**Current Base Zoning:** C-2, RM-4 PUD

**Current Land Uses:** Apartments and Single-Family Residential

**Direction:** East

**Current Base Zoning:** C-1

**Current Land Uses:** Hospital and Pulmonary Association

### **Overlay and Special District Information:**

#### **Transportation**

**Thoroughfare:** Babcock Road

**Existing Character:** Principal Arterial A, three lanes in each direction, with sidewalks.

**Proposed Changes:** None known.

**Thoroughfare:** Oakdell Way

**Existing Character:** Collector Road, one lane in each direction, sidewalks on one side.

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus routes are 606 and 607, which operate along Babcock Road.

**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:** Multi-Family Dwellings - Minimum Parking Requirement: 1.5 spaces per unit.  
Maximum Parking Allowance: 2 spaces per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning; restricting future land uses to those permissible in a “C-3” zoning district.

**FISCAL IMPACT:**

None.

**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 “Mixed Use Center” in the future land use plan. The requested “MF-65” Multi-Family District is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on surrounding properties. Staff finds the proposed use to be appropriate as the property is surrounded by other properties of similar uses.

**3. Suitability as Presently Zoned:**

The existing “C-3” zoning district is not consistent with the adopted land use designation. The uses permitted in the “C-3” district are typically considered “Regional Commercial” uses, and are most appropriately located at the intersections of arterial thoroughfares and expressways, on large-acreage lots in an effort to minimize the impact of increased traffic, noise, and lighting on surrounding properties by ensuring sufficient area to accommodate building setbacks and landscape buffer requirements.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety or welfare.

**5. Public Policy:**

The existing “C-3” zoning is not consistent with the adopted “Mixed Use Center” land use designation. The proposed zoning request of “MF-65” meets the goal of the Mixed Use Center land use classification to locate high density residential uses near activity centers, such as the Medical Center which is comprised of many large and small medical facilities. The area serves as a large employment center in the city and will benefit from additional nearby residential options.

**6. Size of Tract:**

The subject property is approximately 3.399 acres. Should the requested rezoning be approved, the subject property could accommodate a multi-family development with up to approximately 214 dwelling units.

**7. Other Factors:**

None.