



# City of San Antonio

## Agenda Memorandum

**File Number:**18-6038

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**Agenda Item Number:** 27.

**Agenda Date:** 11/6/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z2018353

(Associated Plan Amendment 18109)

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "MF-25 AHOD" Limited Density Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 6, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Santikos Raw Land, LLC

**Applicant:** Cardinal MF, LLC

**Representative:** Kaufman & Killen, Inc.

**Location:** Generally located in the 6800 Block of NE Loop 1604

**Legal Description:** 26.386 acres out of CB 5021

**Total Acreage:** 26.386

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Fox Run Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on December 30, 1985, established by Ordinance 61614. The property was zoned "Temporary R-1" Temporary One Family Residence District. A portion of the property was rezoned to "B-2NA" Non-Alcoholic Sales Business District, established by Ordinance 63217, dated July 10, 1986. The majority of the property was rezoned to "B-3" Business District, established by Ordinance 63778, dated October 2, 1986. The current "C-2NA" Commercial Nonalcoholic Sales District and "C-3" General Commercial District were converted upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001.

**Topography:** There is a small portion of the subject property that is included in the flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant Land

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Loop 1604, Rolling Oaks Mall

**Direction:** South

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

**Current Land Uses:** Commercial Uses

**Direction:** West

**Current Base Zoning:** R-6

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

**Overlay and Special District Information:**

"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:** Loop 1604

**Existing Character:** Freeway

**Proposed Changes:** None known

**Thoroughfare:** Stahl Road

**Existing Character:** Local Road

**Proposed Changes:** None known

**Public Transit:** There are no bus stops within walking distance.

**Traffic Impact:** A Traffic Impact Analysis may be required.

**Parking Information:** The use of Multi-Family requires a minimum of 1.5 parking spaces per unit and allows

a maximum of two (2) parking spaces per unit. The use of a Professional Office requires a minimum of one (1) parking space per 300 square-feet of the Gross Floor Area (GFA) and permits a maximum of one parking space per 140 square-feet of the GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “C-3” base zoning district is 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 “C-2NA” base zoning district is identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Rolling Oaks Regional Center and is located within a half-mile of the Austin Highway 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 the approval criteria below.

**1. Consistency:**

The subject property is located within the North Sector Land Use Plan and is currently designated as “Suburban Tier” in the land use component of the plan. The requested “MF-25” base zoning district is not consistent with the adopted land use designation. The applicant requested a Plan Amendment to “General Urban Tier”. Staff and Planning Commission recommend Approval of the Plan Amendment.

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

Staff has not found 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:**

The existing “C-3” and “C-2NA” base zoning district is appropriate for the surrounding area. There are commercial uses to the south of the property and it fronts Loop 1604, so commercial is appropriate.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. There are single-family residential uses to the west of the property and Loop 1604 is to the east of the property. The

proposed multi-family use will provide a zoning buffer between the highway and the single-family residential uses.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The 26.386 acre site is of sufficient size to accommodate the proposed development. The acreage and density of 25 units per acre will permit a maximum of 660 units.

**7. Other Factors:**

None.