



City of San Antonio

Agenda Memorandum

Agenda Date: January 16, 2025

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:

ZONING CASE Z-2024-10700296

(Associated Plan Amendment PA-2024-11600088)

SUMMARY:

Current Zoning: "R-4" Residential Single-Family District and "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 17, 2024

Case Manager: Bronte Frere, Zoning Planner

Property Owner: BSP Worsham LLC by Lloyd A. Denton, Jr.

Applicant: BSP Worsham LLC by Lloyd A. Denton, Jr.

Representative: Brown & McDonald, PLLC

Location: 7901 Southeast Loop 410

Legal Description: 14.635 acres out of NCB 10881

Total Acreage: 14.635 acres

Notices Mailed**Owners of Property within 200 feet:** 4**Registered Neighborhood Associations within 200 feet:** N/A**City-Wide Community Organizations:** T.H.U.G.G.I.N. for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous**Applicable Agencies:** TxDOT, Public Works**Property Details**

Property History: The subject property was annexed into the City of San Antonio by Ordinance 25568, dated September 18, 1957, and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District.

Code & Permitting Details: There is no code enforcement of permitting history for the subject property.

Topography: The property does include inclusion in a floodplain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** "R-4"**Current Land Uses:** Single-Family Dwellings**Direction:** South**Current Base Zoning:** "R-4"**Current Land Uses:** Vacant Land**Direction:** East**Current Base Zoning:** UZROW**Current Land Uses:** Interstate Highway Access Road and Interstate Highway**Direction:** West**Current Base Zoning:** "R-4"**Current Land Uses:** Vacant land**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:

N/A

Transportation**Thoroughfare:** Loop 410 Access Road

Existing Character: Interstate Highway Access Road

Proposed Changes: None known.

Thoroughfare: Loop 410

Existing Character: Interstate Highway

Proposed Changes: None known.

Public Transit: There are no VIA bus routes within a ½ mile of the subject property.

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: The minimum parking requirement for multi-family dwellings is 1.5 spaces per unit and the maximum parking requirement is 2 spaces per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family Districts permit 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.

Proposed Zoning: "MF-33" Multi-Family District permits any uses permitted in MF-33 with a maximum density of 33 units per acre.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center but within ½ a mile from the Brooks Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 Brooks Area Regional Center Plan, adopted in May 2019, and is currently designated as "Agricultural" in the future land use component of the plan. The requested "MF-33" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Urban Mixed use." 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. Surrounding properties are “R-4” Residential Single-Family District.
3. **Suitability as Presently Zoned:** The existing “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “MF-33” Multi-Family District is also an appropriate. The proposed “MF-33” is appropriately located along Loop 410, which can accommodate the proposed density and traffic. There is an established housing pattern on both sides of Loop 410 along the access road. The proposed zoning is also consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city’s growing population at all income levels.
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. Relevant Goals and Policies of the Brooks Area Regional Center Plan may include:
 - **Housing Recommendation #1:** Support neighborhood stability and a balance of homeownership and rental opportunities.
 - **Housing Recommendation #2:** Increase the diversity of housing options within the Brooks Area Regional Center in order to support and attract residents at all stages of life and income levels.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- **H Goal 2:** A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
 - **H Goal 5:** High-density housing choices are available within the city’s 13 regional centers and along its arterial and transit corridors.
6. **Size of Tract:** The 14.635 acre site is of sufficient size to accommodate the proposed commercial development.
 7. **Other Factors:** The zoning change request is to allow for the development of a multi-family apartment complex.

The property is proposed for development of multifamily uses that shall not exceed 33 units per acre. At 14.635 acres, there could potentially be development of 483 units.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100.

Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single family district within 50 feet of the property line.