



City of San Antonio

Agenda Memorandum

Agenda Date: December 5, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2024-10700247 CD

SUMMARY:

Current Zoning: "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for fifty (50) dwelling units

Requested Zoning: "MF-33 CD AHOD" Multi-Family Airport Hazard Overlay District with a Conditional Use for Nursing Facility

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 5, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: RJ Meridian Care Realty Group of San Antonio III, LLC

Applicant: Cenikor Foundation

Representative: Patrick Christensen, PC

Location: 815 East Grayson Street

Legal Description: Lot 14, NCB 46

Total Acreage: 1.24 acres

Notices Mailed

Owners of Property within 200 feet: 52

Registered Neighborhood Associations within 200 feet: Government Hill Alliance
Neighborhood Association

Applicable Agencies: Fort Sam Houston

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned "E" Office District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "E" Office District converted to "O-2" High-Rise Office District. The property was rezoned by Ordinance 2010-11-04-0971, dated November 4, 2010, to "MF-18" Limited Density Multi-Family District. The property was rezoned by Ordinance 2023-09-21-0699, dated September 21, 2023, to the current "IDZ-3" High Intensity Infill Development Zone with uses permitted for fifty (50) dwelling units.

Code & Permitting Details:

Change of Zoning (ZONING-Z-2022-10700211) July 2022

Plan Amendment (ZONING-PA-2022-11600079) July 2022

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "O-2", "R-4"

Current Land Uses: Single Family Dwellings

Direction: East

Current Base Zoning: "MF-18", "IDZ"

Current Land Uses: Apartments

Direction: South

Current Base Zoning: "MF-25", "RM-5", "O-2", "MF-18", "R-6"

Current Land Uses: Vacant, Food Distribution Center, Pharmacy, Offices

Direction: West

Current Base Zoning: "MF-18", "RM-5"

Current Land Uses: Apartments, Single Family Dwellings

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:

None

Transportation

Thoroughfare: East Grayson Street

Existing Character: Minor

Proposed Changes: None Known

Thoroughfare: East Josephine Street

Existing Character: Collector

Proposed Changes: None Known

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

Routes Served: 20, 9, 14, 209, 214

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 a Nursing Facility is 0.3 spaces per bed. The minimum parking requirement for Multi-Family uses is 1.5 spaces per unit.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "IDZ-3" High Intensity Infill Development Zone allows rezoning requests of unlimited density, and uses permitted in "C-3", "O-2" and "I-1". All approved uses and maximum density must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The "IDZ-3" zone allows uses permitted for fifty (50) dwelling units.

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

The "CD" Conditional Use is for a Nursing Facility.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within the Midtown Regional Center and within ½ a mile from the New Braunfels Ave Metro Premium Plus Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 within the Midtown Area Regional Center Plan, adopted in 2019, and is currently designated as "High Density Residential" in the future land use component of the plan. The requested "MF-33" base zoning district 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. The proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are zoned "O-2" High-Rise Office District, "R-4" Residential Single-Family District, "MF-18" Limited Density Multi-Family District, "RM-5" Residential Mixed District, and "MF-25" Low Density Multi-Family District.
3. **Suitability as Presently Zoned:** The existing "IDZ-3" High Intensity Infill Development Zone District with uses permitted for fifty (50) dwelling units is appropriate for the property and the surrounding area. The proposed "MF-33 CD" Multi-Family District with a Conditional Use for a Nursing Facility is also appropriate. The request to rezone is to develop a nursing facility in an existing structure. The property was previously used as a Nursing and Rehabilitation Center and is currently developed to accommodate the requested use. Additionally, the applicant will have to adhere to the prescribed site plan and any deviation from the approved document could potentially warrant additional council consideration.
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 objectives. Relevant Goals and Policies of the Midtown Area Regional Center Plan may include:
 - Goal 1: Preserve Midtown's Distinct Character
 - Goal 4: Support Unique, Mixed Activity Areas
 - Goal 7: Stimulate a Thriving Economy
6. **Size of Tract:** The 1.24-acre site is of sufficient size to accommodate the proposed development.
7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The property is proposed for development of multifamily and commercial uses. The property is currently zoned "IDZ-3", allowing for up to 50 units. The proposed rezoning would allow 41 units.

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.

The applicant is rezoning to develop a Nursing Facility.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.