



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 6, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700120 CD

**SUMMARY:**

**Current Zoning:** “MF-33 MC-1 AHOD” Multi-Family Roosevelt Avenue Corridor Overlay Airport Hazard Overlay District

**Requested Zoning:** “MF-18 CD MC-1 AHOD” Limited Density Multi-Family Roosevelt Avenue Corridor Overlay Airport Hazard Overlay District with a Conditional Use for a Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2024

**Case Manager:** Bronte Frere

**Property Owner:** Ricardo Briones & Johanna Briones

**Applicant:** Ricardo Briones

**Representative:** Ricardo Briones

**Location:** 230 West Whittier Street

**Legal Description:** Lot 7, Block 7, NCB 2981

**Total Acreage:** 0.1630 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Roosevelt Park Neighborhood Association

**Applicable Agencies:** World Heritage Office

### **Property Details**

**Property History:** The subject properties were located within the original 36 square miles of the City of San Antonio and zoned "D" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "D" Apartment District converted to the current "MF-33" Multi-Family District.

### **Code & Permitting Details:**

There is no relevant code enforcement or permitting history for the subject property.

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

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

**Direction:** North

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

**Current Land Uses:** Single-Family Dwellings, Library

**Direction:** South

**Current Base Zoning:** "MF-33," "RM-4"

**Current Land Uses:** Single-Family Dwellings, Inn

**Direction:** East

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Single-Family Dwellings, Parking Lot, Elementary School, Church

**Direction:** West

**Current Base Zoning:** "MF-33," "RM-4," "C-1"

**Current Land Uses:** Single-Family Dwellings, Park

### **Overlay District Information:**

The "MC-1" Roosevelt Avenue Metropolitan Corridor provides site and building design standards for properties located along Roosevelt Avenue between St. Mary's Street and Southeast Loop 410. Metropolitan Corridors follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city. A zoning review is performed by the Zoning Section of the Development Services Department.

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:** West Whittier Street

**Existing Character:** Local road

**Proposed Changes:** None known.

**Thoroughfare:** Roosevelt Avenue

**Existing Character:** Principal

**Proposed Changes:** None known.

**Thoroughfare:** Roosevelt Avenue

**Existing Character:** Secondar Arterial Type B

**Proposed Changes:** Streets and Sidewalk Improvements

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Serviced:** 34, 36, 42, 242.

**Traffic Impact:** A Traffic Impact Analysis was submitted. Any further traffic requirements will be evaluated at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for a 1 Family Dwelling is 1 space per unit. The minimum parking requirement for Profession Office is 1 space per 300sf GFA, and the maximum parking requirement is 1 space per 140sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** The “MF-33” Multi-Family District permits any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

**Proposed Zoning:** The “MF-18” Limited Density Multi-Family District permits multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

The proposed "CD" Conditional Use is to allow for a Professional Office.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Downtown Regional Center and is within ½ a mile of the Rockport Subdivision 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 approval criteria below.**

1. **Consistency:** The subject property is located within the Downtown Area Regional Center Plan, adopted December 2019, and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “MF-18” 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.
3. **Suitability as Presently Zoned:** The existing “MF-33” Multi-Family District is not an appropriate zoning for the property and surrounding area. The proposed “MF-18 CD” Limited Density Multi-Family District with a Conditional Use for a Professional Office is appropriate. The area is predominately single-family residential, not aligning with the higher density multi-family zoning district. The proposed rezoning lowers the density to better align with the established use, also adding a low intense commercial use to service and support the neighborhood. Conditional Uses also require a site plan, regulating the building size, height, and impervious coverage. Any expansion of these items would require additional City Council review.
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 public policy objectives. Relevant goals and policies of the Comprehensive Plan may include:
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.
  - H P17: Encourage development projects to have a mixture of uses.

Relevant goals and objectives of the Downtown Regional Center Plan may include:

- Housing Recommendation #2: Support housing growth in the Downtown Area by creating a diversity of housing options in mixed-use areas and accommodating additional housing in neighborhoods and transition areas through context sensitive design and small scale infill.
- Economic Development Recommendation #2: Make Downtown a premier location of new business creation, tech employment, and innovation.

6. **Size of Tract:** The 0.1630-acre site is of sufficient size to accommodate the proposed multi-family development.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates an existing dingle-family structure. The applicant is requesting to rezone to allow the use of a Professional Office on the subject property.

The property is proposed for development of multifamily uses with a Conditional Use for a Professional Office. The property is currently zoned “MF-33” Multi-Family District, allowing for up to 5 units. The proposed rezoning to “MF-18” Limited Density Multi-Family District would allow 3 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 following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

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.