



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 1, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2025-10700036

**SUMMARY:**

**Current Zoning:** "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcohol Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "MF-18 MLOD-2 MLR-1 AHOD" Limited Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 1, 2025.

**Case Manager:** Eradio Gomez, Zoning Senior Planner

**Property Owner:** Elma Dill Russell Spencer Foundation

**Applicant:** Prospera Housing Community Services

**Representative:** Vickrey & Associates, Inc

**Location:** 1460 South Ellison Drive

**Legal Description:** Lot P-21F, NCB 18159

**Total Acreage:** 7.073

### **Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** N/A

**City-Wide Community Organizations:** Women in Film & Television San Antonio

**Applicable Agencies:** Planning Department, Lackland Airforce Base

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 81106, dated December 30, 1994, and zoned "B-3R" Restrictive Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the "B-3R" Restrictive Business District converted into "C-3R" General Commercial Restrictive Alcoholic Sales District.

### **Code & Permitting History:**

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

**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:** C-3R

**Current Land Uses:** Pharmacy, Dollar Store, Auto parts store

**Direction:** South

**Current Base Zoning:** MF-33

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

**Direction:** East

**Current Base Zoning:** R-5

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

**Direction:** West

**Current Base Zoning:** Outside City Limits

**Current Land Uses:** Vacant Land, Shopping Center

### **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.

The "MLOD-2" Lackland Military Lighting Overlay District does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** South Ellison Drive

**Existing Character:** Collector

**Proposed Changes:** None Known

**Thoroughfare:** Marbach Road

**Existing Character:** Minor, Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Five Forks Drive

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 613

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

**Parking Information:** The parking minimum parking requirement for multi-family dwelling is 1.5 per unit, the maximum is 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-3R" General Commercial Restrictive Alcohol Sales District are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

Proposed Zoning: "MF-18" Limited Density Multi-Family District permits 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.

**FISCAL IMPACT:**

None.

**PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:**

The subject property is not located within a Regional Center and is not within ½ a mile of a 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 West/Southwest Sector Plan, adopted in 2011, and is currently designated as “Suburban Tier” 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 “C-3R” General Commercial Restrictive Alcohol Sales District is an appropriate zoning for the property and surrounding area. The proposed “MF-18” Limited Density Multi-Family District is also appropriate. The proposed development is appropriately located along a collector street which can reasonably accommodate traffic. Additionally, the proposal aligns with the goals of the Strategic Housing Implementation Plan (SHIP), which encourages the development of additional housing stock to accommodate the City’s growing population.
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 appear to conflict with public policy. Relevant Goals and Policies of the Comprehensive Master 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 Policy 11: Encourage and incentivize new housing development projects to provide a mixture of housing types, sizes and prices.Relevant Goals and Policies of the West/Southwest Sector Plan may include:
  - Goal HOU-1.1 Promote quality design and construction for new housing.
  - Goal HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.
6. **Size of Tract:** The subject property is 7.073 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 7.073 acres, there could potentially be development of 127 units.

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request. 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.

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.