



# City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** January 16, 2025

**In Control:** Zoning Commission Meeting

---

**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 7

**SUBJECT:**

ZONING CASE Z-2024-10700300

**SUMMARY:**

**Current Zoning:** "BP AHOD" Business Park Airport Hazard Overlay District

**Requested Zoning:** "PUD MF-25 AHOD" Planned Unit Development Low Density Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2024.

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

**Property Owner:** Midmark Holdings, LLC

**Applicant:** Manzer Butte

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** generally located in the 5100 block of Wurzbach Road

**Legal Description:** Lot 30, Block 7, NCB 18097

**Total Acreage:** 5.389 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 50

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

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The property was annexed into the of City of San Antonio by Ordinance 61625, dated December 29, 1985, zoned Temporary "R-1" Residence District. The property was rezoned by Ordinance 65328, dated July 9, 1987, to "BP" Business Park District.

**Code & Permitting Details:** There is no code enforcement of 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:** "R-6", OCL

**Current Land Uses:** Assisted Living Facility, Vacant Land

**Direction:** South

**Current Base Zoning:** "C-3", "R-4", "BP", "I-1"

**Current Land Uses:** Apartment Complex, Equipment Rental Agency, Vacant Land

**Direction:** East

**Current Base Zoning:** "R-6", "C-3R"

**Current Land Uses:** Apartment Complex

**Direction:** West

**Current Base Zoning:** "R-4"

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

**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:**

"PUD"

The Planned Unit Development special district provides flexibility in development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties; while preserving natural amenities and features of a site and providing for a minimum amount of open space. PUDs provide for a more efficient arrangement of land uses,

buildings, circulation systems and infrastructure; encourage infill projects and development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography. A site plan is required for a rezoning to “PUD” that will include the location of the uses. A zoning review is performed by the Zoning Section of the Development Services Department during the review of the plat and building permit.

### **Transportation**

**Thoroughfare:** Wurzbach Road

**Existing Character:** Principal, Secondary Arterial A

**Proposed Changes:** None known.

**Thoroughfare:** Crystal Bow

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Blackberry Drive

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Seville Drive

**Existing Character:** Primary Arterial A

**Proposed Changes:** None known.

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

**Routes Served:** 534, 552, 607

**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 development is 1.5 spaces per unit. The maximum parking requirement for multi-family development is 2 spaces per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current Zoning:** “BP” Business Park May be located adjacent to any Freeway, Arterial, Principal Arterial or non-residential Collector Street and allows office or institutional campus style development.

**Proposed Zoning:** “PUD” Plan Unit Development provides flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties.

“MF-25” Low Density Multi-Family District any uses permitted plus in MF-18 plus college fraternity dwelling, off-campus school dormitory/housing, but with a maximum density of 25 units per acre.

**FISCAL IMPACT:**

None.

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

Subject property is not within a Regional Center but is located within ½ a mile from the Bandera Premium 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 West/Southwest Sector Plan, adopted in 2011, and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “PUD MF-25” 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 "BP" Business Park District is an appropriate zoning for the property and surrounding area. The proposed “PUD MF-25” Planned Unit Development Low Density Multi-Family District is more appropriate. The rezoning will allow the applicant to develop a low-density multifamily townhome-style project. The request is also with the Strategic Housing Implementation Plan (SHIP) which encourages diverse housing stock for 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 objectives of the Comprehensive Plan:
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
  - H P30: Ensure infill development is compatible with existing neighborhoods.Relevant Goals and Objectives of the West/Southwest Sector Plan may include:
  - Goal HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.
  - HOU-1.1 Promote quality design and construction for new housing.
  - 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 5.389 -acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The project will consist of 32 individual residential buildings providing a total of 134 units, along with several amenities offered to residents. At 5.389 acres, there could potentially be development of 134 units.

Planned Unit Developments requires a 20-foot perimeter setback.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The site plan indicates the construction of thirty-two (32) dwelling units.

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.