



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 7, 2023

**In Control:** City Council Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2023-10700283

**SUMMARY:**

**Current Zoning:** “C-3 AHOD” General Commercial Airport Hazard Overlay District

**Requested Zoning:** “MF-40 AHOD” Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2023

**Case Manager:** Valeria Seca, Senior Planner

**Property Owner:** Brooks Development Authority

**Applicant:** Lincoln Capital Acquisition LLC

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

**Location:** Generally located in the 8000 South New Braunfels Avenue

**Legal Description:** 6.827 acres out of NCB 10879

**Total Acreage:** 6.827

**Notices Mailed**

**Owners of Property within 200 feet:** 3

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

**Applicable Agencies:** Planning, Brooks City Base

**Property Details**

**Property History:** The subject was annexed into the city by Ordinance 18115, dated September 25, 1952. It was originally zoned "MR" Military Reserve District. A portion of the property was rezoned to "C-3" by Ordinance 2011-02-17-0193, dated February 17, 2011. According to available records, the remaining portion of the property was rezoned to "MF-33" by a later Ordinance.

**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:** C-3

**Current Land Uses:** Medical Office

**Direction:** East

**Current Base Zoning:** C-3, MR, I-2 S

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:** MR, I-1

**Current Land Uses:** Vacant, Solar Panel Company

**Direction:** West

**Current Base Zoning:** MR, C-3, I-1

**Current Land Uses:** Commercial Companies

**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:** Challenger Dr

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** South New Braunfels Ave

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Research Plaza

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is one VIA bus routes within walking distance of the subject property.

**Routes Served:** 34

**Traffic Impact:** A Traffic Impact Worksheet was submitted.

**Parking Information:** The minimum parking requirement for a MF-40 multi-family is 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-3" General Commercial districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

Proposed Zoning: "MF-40" Multi-Family District allows multi-family development with a maximum density of 40 units per acre.

**FISCAL IMPACT:**

None.

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

The property is within a regional center and a premium transit corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff Recommends Approval. Zoning Commission recommendation pending the December 5, 2023 meeting.

**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 and is currently designated as “Regional Mixed Use.” The requested “MF-40” 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 requested “MF-40” Multi-Family District is consistent with the future land use designation. Surrounding properties are “C-3” General Industrial.
3. **Suitability as Presently Zoned:** The current "C-3" General Commercial District is appropriate zonings for the property and surrounding area. The requested "MF-40" Multi-Family District is an appropriate zoning for the property as it aligns with the regional mixed use land use and provides diverse housing options for surrounding commercial and industry uses. The proposed rezoning supports the Strategic Housing Implementation Plan (SHIP) for more housing for 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 proposed rezoning does not appear to conflict with the following goals, principals, and objectives of the Brooks Area Regional Center Plan:

Goal 1.4- Support a healthy and desirable community, social and dining options which provide opportunity for meaningful interactions, and strengthen the cohesive Brooks Area identity; welcoming, pioneering, innovative, and resilient.

Goal 2.6- Provide access to places for communal ‘attaching and belonging’ and ‘learning and doing’ at unique, community social gathering places with universal design elements.

Goal 3.1- Incentivize high-paying, socially, environmentally, and fiscally responsible employers who reinvest in the Brooks Area community and its spirit of innovation.

The subject property is located within the SA Tomorrow Brooks Area Regional Center Plan. The subject property is currently undeveloped and is classified as Regional Mixed Use in the future land use map. The requested MF-40 zoning is an appropriate zoning district in areas designated as Regional Mixed Use. The proposed zoning change is requested to allow for the development of a Senior Adult Housing and other uses similar to the surrounding development in this Challenger Drive corridor on the 6.827 acre subject property. Surrounding uses include an express pharmacy, warehouses, ENT clinics, and vacant properties to the north, northeast, east, and south of the subject property.

6. **Size of Tract:** The subject property is 6.827, which could reasonably accommodate residential development.

7. **Other Factors:** At a density of 40 units per acre and 6.827 acres the maximum density is 7,372 units.