



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 21, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2024-10700043

(Associated Plan Amendment Case PA-2024-11600014)

**SUMMARY:**

**Current Zoning:** "C-3 H RIO-5 AHOD" General Commercial Mission Historic Overlay River Improvement Overlay 5 Airport Hazard Overlay District

**Requested Zoning:** "MF-18 H RIO-5 AHOD" Limited Density Multi-Family Mission Historic Overlay River Improvement Overlay 5 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 21, 2024. This case was continued from May 7, 2024 and April 2, 2024.

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** 2022 Blanco Inc. Rockwald Ltd. (c/o Krause Management, LLC)

**Applicant:** Sonoma Housing Advisors, LLC

**Representative:** Brown & McDonald, PLLC

**Location:** 3400 Mission Road

**Legal Description:** 5.56 acres out of NCB 7657

**Total Acreage:** 5.56 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** Hot Wells Mission Reach Neighborhood Association and Mission San Jose Neighborhood Association

**Applicable Agencies:** Stinson Municipal Airport, Parks and Recreation, World Heritage Office, Planning Department, Office of Historic Preservation

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115 dated September 24, 1952, and zoned "B" Residence District. The property was rezoned by Ordinance 57965, dated December 1, 1983, to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to the "C-3" General Commercial District.

**Code & Permitting Details:**

N/A

**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:** "R-6"

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

**Direction:** South

**Current Base Zoning:** "C-3"

**Current Land Uses:** Storage, Commercial Businesses

**Direction:** East

**Current Base Zoning:** "R-6"

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

**Direction:** West

**Current Base Zoning:** "C-3," "C-2," "IDZ"

**Current Land Uses:** Commercial Businesses, Vacant

**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 Mission Historic District, is an overlay district which was adopted in 1977. This district does not regulate use of the property but does enforce building exterior design standards meant to

maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

The "RIO-5" River Improvement Overlay District is an overlay district to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

**Special District Information:**

There is no special district information.

**Transportation**

**Thoroughfare:** Mission Road

**Existing Character:** Minor Road

**Proposed Changes:** None known.

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

**Routes Served:** 102, 242

**Traffic Impact:** A TIA study may be required based on the information provided at time of platting and/or permitting. The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502.

A TIA Report is Not Required.

**Parking Information:** The minimum parking requirement for “Assisted Living, Boarding Home, or Community Home with 7 or More Residents” is 0.3 spaces per resident plus 1 space for each employee. The maximum is 1 per resident plus 1 space for each employee.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “C-3” General Commercial District 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-18” Limited Density Multi-Family District 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.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within a ½ mile of the Rockport Subdivision and Looper Premium Transit Corridors.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 South Central San Antonio Community Plan adopted October 26, 2005 and is currently designated as “Parks Open Space” in the future land use component of the plan. The requested “MF-18” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “High Density Residential”. Staff recommends Approval. Planning Commission recommendation pending the March 27, 2024 hearing.
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. The surrounding properties are established “C-3” General Commercial and “R-6” Residential Single-Family zoning districts and uses.
3. **Suitability as Presently Zoned:** The existing “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “MF-18” Limited Density Multi-Family District is also appropriate. The zoning request would result in a down-zoning, resulting in a less intense base zoning district for the subject property. The less intense zoning designation is suitable for the area given that surrounding properties are “R-6” Residential Single-Family, with two current properties acting as Single-Family in use. The proposed “MF-18” Limited Density Multi-Family District is able to act as a buffer from the more intense “C-3” General Commercial District to the “R-6” Residential Single-Family District, preventing encroachment of commercial properties into residential properties. Additionally, the proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city’s growing population at 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 public policy objectives of the South Central San Antonio Community Plan.

Some of the guiding principles of the Master Plan Policies include:

- Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations.
- Encourage patterns of development that provide the full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure
- Encourage a balance of new development and redevelopment of target areas.

6. **Size of Tract:** The 5.56-acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** This property is located within the Mission Historic District and RIO-5. Any new construction will require approval from the Office of Historic Preservation. Approval of a site plan or materials submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Office of Historic Preservation for work on this property.

The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 5.56 acres, there could potentially be development of 100 units. The applicant is request to build 88 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.