



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 17, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2024-10700152 CD

**SUMMARY:**

Current Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District, "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District, and "MF-33 HS AHOD" Multi-Family Historic Significant Airport Hazard Overlay District

Requested Zoning: "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Noncommercial Parking Lot with a reduced 5' bufferyard, "RM-4 CD AHOD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for Noncommercial Parking Lot with a reduced 5' bufferyard, and "MF-33 CD HS AHOD" Multi-Family Historic Significant Airport Hazard Overlay District with a Conditional Use for Noncommercial Parking Lot with a reduced 5' bufferyard.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Methodist Healthcare System of San Antonio, Ltd., LLP

**Applicant:** Methodist Healthcare System of San Antonio, Ltd., LLP

**Representative:** Trey Jacobson, Momentum Advisory Services

**Location:** 802-812 East Erie Avenue, 834-836 East Erie Avenue, 401 and 414 East Laurel, and 114 Paschal Street

**Legal Description:** 0.338 acres out of NCB 395, 0.682 acres out of NCB 843, and 0.610 acres out of NCB 844

**Total Acreage:** 1.63 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 46

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Neighborhood Association and San Antonio Texas District One Resident Association

**Applicable Agencies:** Fort Sam, San Antonio Water Systems, Office of Historic Preservation

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “D” Apartment District and “E” Office District. The properties were rezoned by Ordinance 83331, dated December 14, 1995, to “R-1” Single-Family Residence District, “R-2A” Three- and Four-Family Residence District, and “R-3” Multiple-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned “R-1” Single-Family Residence District converted to the current “R-6” Residential Single-Family District, the properties zoned “R-2A” Three- and Four-Family Residence District converted to the current “RM-4” Residential Mixed District, and the properties zoned “R-3” Multiple-Family Residence District converted to the current “MF-33” Multi-Family 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 incursion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “MF-33,” “R-6,” “IDZ-1,” “RM-4”

**Current Land Uses:** Single-Family Dwellings, Multi-Family Dwellings, Apartments, Restaurant

**Direction:** South

**Current Base Zoning:** “C-2 S,” C-2”

**Current Land Uses:** San Antonio River Authority, Medical Services

**Direction:** East

**Current Base Zoning:** “MF-25 IDZ,” RM-4,” “R-6”

**Current Land Uses:** Single-Family Dwellings, Multi-Family Dwellings, Apartments

**Direction:** West

**Current Base Zoning:** “C-2”

**Current Land Uses:** Medical Services, Business 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 "HL" Historic Landmark, "HS" Historic Significant or "HE" Historic Exceptional overlay district designation signifies the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. 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.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** Paschal Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** East Laurel Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** East Erie Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There are no VIA bus routes within a ½ mile of the subject property.

**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 requirements for Parking Lots as a Primary Use can be found at Unified Development Code, Section 35-384.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District permits single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

"RM-4" Residential Mixed 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, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

"MF-33" Multi-Family District permits multi-family development with a maximum density of 33 units per acre.

Proposed Zoning: "R-6 CD" Residential Single-Family Districts permit single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

"RM-4 CD" Residential Mixed 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, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

"MF-33 CD" Multi-Family District permits multi-family development with a maximum density of 33 units per acre.

The Conditional Uses are to allow for Noncommercial Parking Lots, with a reduced 5' buffer yard for all properties.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Midtown Regional Center and within ½ a mile from the New Braunfels Avenue Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, with Conditions.

If recommended for Approval, staff recommends the following Conditions:

- 1) Allow one free-standing signage per lot not to exceed 100 square feet.
- 2) Hours of operation are 24 hours per day/7 days per week.

**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 Midtown Area Regional Center Plan, adopted June 2019, and is currently designated as "Medium Density Residential" in the future land use component of the plan. The requested "R-6 CD," "RM-4 CD," and "MF-33 CD" base zoning districts are 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. Surrounding properties are “MF-33” Multi-Family, “R-6” Residential Single-Family, “IDZ-1” Limited Intensity Infill Development Zone, “RM-4” Residential Mixed, and “C-2” Commercial District.

3. **Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family, “RM-4” Residential Mixed and “MF-33” Multi-Family base zoning districts are appropriate for the property and surrounding area. The proposed “R-6 CD” Residential Single-Family District with a Conditional Use for a Noncommercial Parking Lot, “RM-4 CD” Residential Mixed District with a Conditional Use for a Noncommercial Parking Lot, and “MF-33 CD” Multi-Family District with a Conditional Use for a Noncommercial Parking Lot are also appropriate for the property and surrounding area. Parking in the Downtown area is limited, and the proposed subject properties are in close proximity to the hospital and other services they are being designed to serve. Furthermore, the some of the properties are existing parking lots and the rezoning would allow them to be classified as the appropriate use.
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 Midtown Area Regional Center Plan:
  - **Mobility Recommendation #2:** Complete the multimodal network by investing in critical corridors, leveraging existing assets, and establishing partnerships to implement critical connections.
  - **Amenities and Infrastructure Recommendation #9:** Parking should be shared amongst users with complementary schedules, not publicly subsidized, and adaptable to new uses as parking demand changes.
  - **Economic Development Recommendation #3:** Support the continued growth and integration of the education and health institutions within the Midtown Area, so that campuses serve as community resources and amenities, and surrounding mixed-use areas serve students and workers.
6. **Size of Tract:** The 1.63-acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The proposed zoning change is for a parking lot as the primary use with the intention to provide parking for employees who work in close proximity at the medical buildings in the surrounding area. The applicant is also requesting a reduced 5’ buffer yard for all lots.

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 applicant is rezoning to develop Noncommercial Parking Lots.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates uses for noncommercial parking lots.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, the Office of Historic Preservation has not received an application for demolition at this address and a demolition application with OHP will be required if demolition is a listed scope of work.

This property (Property ID: 109485; 836 E Erie Ave; NCB 843 BLK 2 LOT B 1) is designated a local historic landmark (HS). Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation. Approval of a site plan or renderings 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 this project.