



City of San Antonio

Agenda Memorandum

Agenda Date: October 4, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett White

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:

Zoning Case Z-2022-10700250

SUMMARY:

Current Zoning: "OCL" Outside City Limits

Requested Zoning: "MF-33" Multi-Family District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 4, 2022

Case Manager: Priscilla Rosales-Piña, AICP, Planning Manager

Property Owner: Elephant Heart Development Corp., and Adrian Collins

Applicant: City of San Antonio

Representative: Killen, Griffin, and Farrimond, PLLC

Location: Northwest of the intersection of Culebra Road and Old Stillwater Road

Legal Description: 3.795 acres out of CB 4450

Total Acreage: 3.795

Notices Mailed**Owners of Property within 200 feet:** 6**Registered Neighborhood Associations within 200 feet:** None**Applicable Agencies:** None**Property Details**

Property History: Elephant Heart Development Corp. owns approximately 4.808 acres of land (Tract 1) and Adrian Collins owns approximately 1.5 acre of land (Tract 2), (subject properties) totaling 6.08 acres, located along Culebra Road. The City of San Antonio (City) annexed territory located within 1000 feet of Culebra Road right-of-way into the City's Limits by Ordinance No. 64026, dated December 28, 1986. This annexation split the subject properties by bringing in portions of the parcels of land into City's limits and leaving the remainders of land, consisting of approximately 3.795 acres (3.417 acres of Tract 1, and 0.378 acres of Tract 2), in the City's extraterritorial jurisdiction (ETJ).

Elephant Heart Development Corp., and Adrian Collins (the Owners) desire to develop a multi-family residential project on their vacant, undeveloped land. Now, the Owners have petitioned the City for annexation and zoning of approximately 3.795 acres (Annexation Area) to facilitate the overall project by bringing their entire parcels of land into the City's Limits. The proposed Annexation Area is generally located northwest of the intersection of Culebra Road and Old Stillwater Road in the City's ETJ and in west Bexar County. The Annexation Area meets the statutory requirements for full purpose annexation by the City since it is (1) within the City's ETJ; and (2) adjacent and contiguous to the City's Limits. The Annexation Area will be in City Council District 6.

The portions of the subject properties currently located inside the City's limits are zoned "MF-33," Multi-Family District and "C-2 S," Commercial with a Specific Use Authorization for a Car Wash.

Topography: The northern portion of subject properties is in a FEMA X flood plain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** OCL (Outside City limits)**Current Land Uses:** Undeveloped Land, single-family housing under construction**Direction:** East**Current Base Zoning:** MF-33**Current Land Uses:** Undeveloped Land**Direction:** South**Current Base Zoning:** MF-33, C-2 S**Current Land Uses:** Undeveloped Land**Direction:** West**Current Base Zoning:** OCL (Outside City limits)

Current Land Uses: Undeveloped Land

Overlay District Information:

None

Special District Information:

None

Transportation

Thoroughfare: Culebra Road

Existing Character: Primary Arterial Type A

Proposed Changes: None known

Thoroughfare:

Existing Character:

Proposed Changes:

Public Transit: There are no nearby VIA bus stations within walking distance.

Traffic Impact: A Traffic Impact Analysis (TIA) Report is not required.

Parking Information:

ISSUE:

None; the zoning of newly annexed property is in accordance Section 35-307 of the City Code, which allow property owners to apply for zoning in conjunction with annexation proceedings.

ALTERNATIVES:

Current Zoning: Outside City limits

Proposed Zoning: Any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a SA Tomorrow Regional Center. In addition, it is located within a half-mile of the proposed Culebra Road Corridor Plan. After annexation, it will be located within the proposed West Northwest Community Plan area, which is a SA Tomorrow Phase 4 planning area.

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 (Sector Plan) and is currently designated as “General Urban Tier” in the future land use component of the Sector Plan. The requested “MF-33” Residential Multi-family base zoning district is consistent with the adopted future land use designation. Hence, no plan amendment is required.
2. **Adverse Impacts on Neighboring Lands:** The subject property is in an area that is transitioning from undeveloped land and open space to a more residential and commercially developed area. There are proposed residential single-family uses located to the north of the subject property, proposed residential multi-family uses located to the west and east of the subject property, and proposed commercial use to the south of the subject property. Based on the existing conditions and uses of the area, the proposed “MF-33” Residential Multi-Family district will not have any adverse impact on the neighboring lands.
3. **Suitability as Presently Zoned:** There is no assigned zoning to the portion of the properties designated OCL (outside City Limits) since they are located in the ETJ. The portions of the land, located inside the City’s Limits, are currently zoned “MF-33” Multi-Family District and “C-2 S” Commercial District with Specific Use for a Car Wash, which are appropriate zoning districts for the subject properties and surrounding area. Hence, the proposed “MF-33” Residential Multi-Family District is also an appropriate zoning for the proposed Annexation Area.
4. **Health, Safety and Welfare:** The proposed “MF-33” Residential Multi-Family District will facilitate the Overall Project Concept Plan which will allow the entire project to be uniformly zoned and developed. Through the annexation, the subject property will gain the advantages of being located within the City. It will receive a consistent level of services include police, fire, emergency and services already benefitting land inside the City limits.
5. **Public Policy:** The request does not appear to conflict with any public policy objective. The request is consistent with the West Southwest Sector Plan’s (Sector Plan) goals and strategies. The proposed “MF-33” Multi-Family District supports the future land use and housing goals in the Sector Plan. HOU-1 GOAL in the Sector Plan states: “Housing stock is diverse and densities are distributed in accordance with the adopted West Southwest Sector Land Use Plan. Furthermore, the Sector Plan’s Trans Strategy 1.4 states: Encourage high densities along transit corridors identified by VIA in order to make transit more cost effective and efficient. In addition, this annexation will bring the entire project into the City’s Limits, which is consistent with the City’s Annexation Policy by which San Antonio considers annexation necessary to ensure logical planning boundaries and service delivery areas.

6. Size of Tract: The 3.795-acre site is of sufficient size to accommodate the proposed development.

7. Other Factors None.