



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 2, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2022-10700339

**SUMMARY:**

**Current Zoning:** "MF-18 AHOD" Limited Density Multi-Family Airport Hazard Overlay District and "MF-18" Limited Density Multi-Family District

**Requested Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "MF-33" Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 17, 2022

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** Legacy Brooks Ltd.

**Applicant:** Cohen-Esrey Development Group, LLC

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

**Location:** 999 Interstate Highway 37 South

**Legal Description:** Lot 5, Block 6, NCB 10865

**Total Acreage:** 11.66

**Notices Mailed****Owners of Property within 200 feet:** 30**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association**Applicable Agencies:** Texas Department of Transportation, Parks Department**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. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District. The property was rezoned by Ordinance 2013-03-21-0207, dated March 21, 2013 to "MF-18" Limited Density Multi-Family District.

**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-5**Current Land Uses:** Church**Direction:** South**Current Base Zoning:** C-2 and MF-18**Current Land Uses:** Apartments**Direction:** East**Current Base Zoning:** R-4**Current Land Uses:** Park**Direction:** West**Current Base Zoning:** UZROW**Current Land Uses:** Interstate Highway 37**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:**

N/A

**Transportation****Thoroughfare:** Utopia Lane**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Belford Drive

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Interstate Highway 37 South

**Existing Character:** Interstate

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

Routes Served: 32, 232, 34

**Traffic Impact:** The traffic generated by the proposed development has increase it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502\*\* A TIA Report will be Required.

**Parking Information:** The minimum parking for Multi-family dwellings is 1.5 spaces per unit.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "MF-18" Limited Density Multi-Family District allows 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.

Proposed Zoning: "MF-33" Multi-Family District allows multi-family development to a density of 33 units per acre.

**FISCAL IMPACT:**

None.

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

The property is located within the Brooks Regional Center and within ½ mile from the Looper 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 Brooks Regional Center Plan and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “MF-33” 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. There is “C-2” Commercial District and “MF-33” Multi-Family District across the street from the property.
3. **Suitability as Presently Zoned:** The existing “MF-18” Limited Density Multi-Family District is an appropriate zoning for the property and surrounding area. The requested “MF-33” Multi-Family District is also an appropriate zoning for the property and surrounding area. The requested “MF-33” Multi-Family District would allow for additional density and promote development on the southeast side. This is also consistent with the goals of the Strategic Housing Implementation Plan for diverse housing options 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 Brooks Regional Center Plan.
  - Goal 3: Reinvestment, Retention & Responsibility- Incentivize equitable education, housing, and economic opportunities that re-invest in and build the community’s prosperity while being socially and environmentally responsible.
  - Recommendation #2: Increase the diversity of housing options within the Brooks Area Regional Center in order to support and attract residents at all stages of life and income levels.
  - Recommendation #1: Support neighborhood stability and a balance of homeownership and rental opportunities.
6. **Size of Tract:** The 11.6 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The property is proposed for development of multifamily uses. The property is currently zoned “MF-18” Limited Density Multi-Family, allowing for up to 18 units per acre. At 11.6 acres, the current zoning would allow 209 units. If rezoned to “MF-33” Multi-Family District, which allows up to 33 units per acre, at 11.6 acres the proposed rezoning would allow 382 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.