



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 3, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1 and 5

**SUBJECT:**

ZONING CASE Z-2022-10700328  
(Prospect Hill Large Area Rezoning)

**SUMMARY:**

**Current Zoning:** “MF-25” Low Density Multi-Family District, “MF-33” Multi-Family District, “MF-33 S” Multi-Family District with a Specific Use Authorization for a Day Care Center, “O-1” Office District, “R-4” Residential Single-Family District, “R-4 CD” Residential Single-Family District with a Conditional Use for a Noncommercial Parking Lot, “R-4 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-5” Residential Single-Family District, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for a Noncommercial Parking Lot, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “RM-4” Residential Mixed District, “C-1” Light Commercial District, “C-2” Commercial District, “C-2 CD” Commercial District with a Conditional Use for Auto Repair, and Mini-Storage, “C-2NA” Commercial Nonalcoholic Sales District, “C-3” General Commercial District, “C-3R” General Commercial Restrictive Alcoholic Sales District, “C-3NA” Commercial Nonalcoholic Sales District, “I-1” General Industrial District

**Requested Zoning:** “R-1” Single-Family Residential District, “R-2” Single-Family Residential District, “R-2 CD” Single-Family Residential District with a Conditional Use for two or three dwelling units, “R-3” Single-Family Residential District, “R-3 CD” Single-Family Residential District with a Conditional Use for two or three dwelling units, “R-4” Residential Single-Family District, “R-4 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-5” Residential Single-Family District, “R-5 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-6 CD” Residential Single-Family with a Conditional Use for a Noncommercial Parking Lot, “RM-4” Residential Mixed District, “RM-5” Residential Mixed

District, “RM-6” Residential Mixed District, “MF-33” Multi-Family District, “IDZ-2” Medium Intensity Infill Development Zone with uses permitted for seven (7) units, “NC” Neighborhood Commercial District, “NC S” Neighborhood Commercial District with a Specific Use Authorization for a Commercial Parking Lot, “C-1” Light Commercial District, “C-2” Commercial District, “C-2 S” Commercial District with a Specific Use Authorization for a Bail Bond Agency, “C-3” General Commercial District, “L” Light Industrial District, “I-1” General Industrial District, with all overlay districts of “HL” Historic Landmark, “MLOD-2 MLR-2” Lackland Military Lighting Overlay Military Lighting Region 2, and “AHOD” Airport Hazard Overlay District remaining unchanged

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 20, 2023

**Case Manager:** Forrest Wilson, Principal Planner

**Property Owner:** Multiple Owners

**Applicant:** Development Services Department

**Representative:** Development Services Department

**Location:** Prospect Hill Large Area Rezoning

**Legal Description:** NCB 37, 2127, 2132, 2133, 2134, 2140, 2141, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2194, 2196, 2198, 2199, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2218, 2220, 2222, 2223, 2225, 2226, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2271, 2272, 2273, 2274, 2275, 2278, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2293, 2294, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2817, 2818, 2819, 2820, 2823, 2824, 2868, 2869, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3401, 3532, 3533, 3534, 3535, 3536, 3537, 3538, 3539, 3541, 3542, 3543, 3544, 3600, 3601, 3602, 3607, 3611, 3612, 3620, 3621, 3625, 3626, 3628, 3629, 3630, 3632, 3634, 3644, 3656, 3657, 3660, 3663, 3666, 3667, 3668, 3673, 3674, 3676, 3677, 3679, 3682, 3774, 3775, 3776, 3777, 3778, 3973, 3974, 6079, 6103, 6104, 6105, 6106, 6107, 6108, 6109, 6110, 6143, 6166, 6307, 6308, 6309, 6310, 6320, 6321, 6322, 6349, 6350, 6351, 6352, 6353, 6354, 6355, 6356, 6357, 6358, 6359, 6360, 6361, 6362, 6363, 6364, 6365, 6366, 6367, 6368, 6369, 6370, 6371, 6372, 6490, 6491, 6493, 6494, 6495, 6587, 6670, 6767, 6788, 6797, 6800, 6903, 6943, 6944, 6946, 6947, 6950, 6951, 7000, 7004, 7005, 7231, 7366, 8176, 8177, 8252, 8253, 8254, 8255, 8256, 8257, 8258, 8259, 8260, 8262, 8264, 8265, 8266, 8267, 8269, 8276, 8280, 8281, 8284, 8288, 8354, 8355, 8881, 8882, 8883, 8887, 8889, 8891, 8893, 8894, 8897, 9026, 9027, 9250, 9251, 9252, 9255, 9256, 9257, 9260, 11400, A-34, generally located within the boundaries of the Prospect Hill Neighborhood Association, which is bounded by North General McMullen Street, Culebra Road, West Martin Street, West Commerce Street, Southwest 24th Street, Southwest 26th Street, Castroville Road, Guadalupe Street, South Zarzamora, and North Comal Street.

**Total Acreage:** 332

**Notices Mailed**

**Owners of Property within 200 feet:** 5,682

**Registered Neighborhood Associations within 200 feet:** Prospect Hill, Gardendale, West End Hope in Action

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject properties were part of the original 36 square miles of the City of San Antonio and most of the area was originally zoned “C” Apartment District, properties located along Zarzamora Street were originally zoned “J” Commercial District, and properties located along Culebra Road were originally zoned “F” Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned “C” Apartment District converted to “MF-33” Multi-Family District, properties zoned “J” Commercial District converted to “I-1” General Industrial District, and properties zoned “F” Local Retail District converted to “C-2” Commercial 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:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial, Industrial

**Direction:** East

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial, Industrial

**Direction:** South

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial, Industrial

**Direction:** West

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial, Industrial

**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.

The "MLOD-2" Lackland Military Lighting Overlay District does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Culebra Road, Zarzamora Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject properties.

**Traffic Impact:** TIA report is not required.

**Parking Information:** There is no parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** "MF-25" Low Density Multi-Family District, "MF-33" Multi-Family District, "MF-33 S" Multi-Family District with a Specific Use Authorization for a Day Care Center, "O-1" Office District, "R-4" Residential Single-Family District, "R-4 CD" Residential Single-Family District with a Conditional Use for a Noncommercial Parking Lot, "R-4 CD" Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, "R-5" Residential Single-Family District, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Noncommercial Parking Lot, "R-6 CD" Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, "RM-4" Residential Mixed District, "C-1" Light Commercial District, "C-2" Commercial District, "C-2 CD" Commercial District with a Conditional Use for Auto Repair, and Mini-Storage, "C-2NA" Commercial Nonalcoholic Sales District, "C-3" General Commercial District, "C-3R" General Commercial Restrictive Alcoholic Sales District, "C-3NA" Commercial Nonalcoholic Sales District, "I-1" General Industrial District

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four dwelling units, “R-5” Residential Single-Family District, “R-5 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-6 CD” Residential Single-Family with a Conditional Use for a Noncommercial Parking Lot, “RM-4” Residential Mixed District, “RM-5” Residential Mixed District, “RM-6” Residential Mixed District, “MF-33” Multi-Family District, “IDZ-2” Medium Intensity Infill Development Zone with uses permitted for 7 dwelling units, “NC” Neighborhood Commercial District, “NC S” Neighborhood Commercial District with a Specific Use Authorization for a Commercial Parking Lot, “C-1” Light Commercial District, “C-2” Commercial District, “C-2 S” Commercial District with a Specific Use Authorization for a Bail Bond Agency, “C-3” General Commercial District, “L” Light Industrial District, “I-1” General Industrial District, with all overlay districts of “HL” Historic Landmark, “MLOD-2 MLR-2” Lackland Military Lighting Overlay Military Lighting Region 2, and “AHOD” Airport Hazard Overlay District remaining unchanged

**FISCAL IMPACT:**

There is no fiscal impact.

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

The subject properties are not located within a Regional Center, but they are located within the Near Westside Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval as Amended.

The Zoning Commission made the following amendments:

- 1) 3311 Saunders to “R-6 CD” Residential Single-Family with Conditional Use for four (4) units; and
- 2) 104 SW 20th to remain unchanged as “C-3” General Commercial.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

1. **Consistency:** A portion of properties is located within the Guadalupe Westside Community Plan adopted in 2007. Most of the subject properties are not located within an adopted land use plan and have no future land use designations. The Planning Department is currently in the process of developing future land use designations for the area. Staff has worked closely with the Planning Department to ensure the proposed zoning recommendations are consistent with the development pattern of the surrounding area.
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.

3. **Suitability as Presently Zoned:** Current zoning of properties in the subject area includes a mixture of “MF-33” Multi-Family District, “C-2” Commercial District, “C-3” General Commercial District, “I-1” General Industrial District, and “I-2” Heavy Industrial District. Most of the area is zoned “MF-33” Multi-Family District although it has developed as residential single-family. Zarzamora and Commerce streets are primarily commercial corridors. The 2001 adoption of the Unified Development Code converted all 1938 and 1965 zoning districts to the current zoning districts, in turn, this conversion created some non-conforming uses. The rezoning strategy includes, field and data analysis conducted by staff to make appropriate zoning recommendations based on the current use of properties. Various residentially zoned properties are conditionally zoned for two or more dwelling units as part of the rezoning process to avoid non-conforming uses. Properties were removed from the strategy if already appropriately zoned with their current 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:** A small portion of the project area is within the Guadalupe Westside Community Plan. The proposed large area rezoning is cohesive with the recommendations in that plan and also addresses the following goals and strategies of the SA Tomorrow Comprehensive Plan, the long-range planning document that provides policy guidance for future growth, development, land use, infrastructure, and services.

#### **Growth and City Form Goals:**

- **GCF Goal 2:** Priority growth areas attract jobs and residents.
- **GCF Goal 5:** Growth and city form support improved livability in existing and future neighborhoods.

#### **Housing Goals and Policies**

- **Housing Goal 3:** Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
- **Housing Goal 4:** Improved infrastructure, services and amenities increase market demand and attract residents to priority growth areas.

6. **Size of Tract:** The tract is approximately 332 acres.
7. **Other Factors:** City Council approved a resolution on June 16, 2022, directing the Development Services Department to initiate a large area rezoning to appropriate zoning districts for property generally located within the boundaries of the Prospect Hill Neighborhood Association.

The goal is to align zoning with the current use of properties in the area, consistent with the surrounding land use and/or development pattern. Throughout the past few decades many areas of the center city have had ongoing concerns regarding zoning inconsistencies. These inconsistencies were the result of the code conversion from the “old” zoning code, which

utilized an A-J tiered system of zoning, to the new system we use today. The Large Area Rezoning project is meant to address these inconsistencies. Staff is recommending a change of zoning on 2,637 properties.

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.