



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 1, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2023-10700116

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "MF-33 MLOD-2 MLR-1 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 1, 2023. This case was continued from the July 18, 2023 hearing.

**Case Manager:** Camryn Blackmon, Zoning Planner

**Property Owner:** Adriana Hernandez

**Applicant:** Urbane Engineers

**Representative:** Urbane Engineers

**Location:** 222 Northwest 36th Street

**Legal Description:** Lots 4 and 5, Block 3, NCB 8250

**Total Acreage:** 2.0099

**Notices Mailed**

**Owners of Property within 200 feet:** 30

**Registered Neighborhood Associations within 200 feet:** Memorial Heights and Los Puentes Neighborhood Associations

**Applicable Agencies:** Lackland AFB, Planning Department

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 2590, dated September 6, 1945, and zoned "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District converted to "MF-33" Multi-Family District. The property was rezoned by Ordinance 98010, dated August 14, 2003, to "R-6" Residential Single-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-6"

**Current Land Uses:** Single-Family Dwelling

**Direction:** East

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

**Current Land Uses:** Single-Family Dwelling

**Direction:** South

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

**Current Land Uses:** Single-Family Dwelling

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Apartments

**Overlay District Information:**

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.

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:**

None.

**Transportation**

**Thoroughfare:** Northwest 36th Street

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Fortuna Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 75,275

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for multi-family 33 units per acre is 1.5 per unit. The Maximum parking requirement for multi-family 33 units per acre is 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District allows 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.

Proposed Zoning: "MF-33" Multi-Family District allows 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:**

Subject property is not located within any Regional Centers and is not within ½ a mile from any Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of "MF-18".

**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 and is currently designated as “General Urban Tier” 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 finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.
- 3. Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “MF-33” Multi-family District is not appropriate and provides excessive density. The requested “MF-33” Multi-Family District would permit up to sixty-six (66) units. The subject property equals 87,552 square feet, and with the current “R-6” Residential Single-Family zoning, the subject property could potentially be divided into fourteen (14) separate lots, allowing a main dwelling unit along with accessory detached dwelling unit on each lot, giving an overall density of twenty-eight (28) potential dwelling units. Thus, in an effort to be more consistent with existing residential development in that area and support the SA Tomorrow Plan to allow higher densities and a variety of housing types, staff recommends an Alternate Recommendation of “MF-18.” This will provide the missing “middle” level housing lacking from the area.
- 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 appear to conflict with any public policy objectives of the West/Southwest Sector Plan.

Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
- H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
- H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

Relevant Goals and Policies of the West/Southwest Sector Plan may include:

- GOAL HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.
- HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.

- HOU-3.1 Re-invest in existing residential neighborhoods.
- GOAL LU-1 Land use pattern emphasizes compatibility and appropriateness between uses and protects neighborhoods and businesses from incompatible land uses.

6. **Size of Tract:** The 2.0099-acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The property is proposed for development of multifamily uses that shall not exceed 33 units per acre. At 2.0099 acres, there could potentially be development of sixty-six (66) units. The applicant is requesting to build sixty (60) units.

Staff's Alternate Recommendation of "MF-18" would allow up to thirty-six (36) units on the property.