



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 21, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

Zoning Case Z-2023-10700002 (Associated Plan Amendment PA-2023-11600002)

**SUMMARY:**

**Current Zoning:** "C-3 HS AHOD" General Commercial Historic Significant Airport Hazard Overlay District

**Requested Zoning:** "MXD HS AHOD" Mixed Use Historic Significant Airport Hazard Overlay District with a maximum density of eighteen (18) units per acre

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 21, 2023

**Case Manager:** Adolfo Gonzalez, Planner

**Property Owner:** Brooks Development Authority

**Applicant:** Provident Group – Brooks Properties LLC

**Representative:** Brown & Ortiz

**Location:** 3005 Sidney Brooks Drive

**Legal Description:** 3.326 acres out of NCB 10879

**Total Acreage:** 3.326

**Notices Mailed**

**Owners of Property within 200 feet:** 1

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies: OHP**

**Property Details**

**Property History:** The subject property annexed on September 25, 1952 by Ordinance 18115 and was originally zoned “MR” Military Reservation District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “MR” Military Reservation remained “MR” Military Reservation District. The property was rezoned by Ordinance 2018-04-19-0315, dated April 19, 2018, from “MR” Military Reservation District to “C-3” General 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:**

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:**

**Current Land Uses:** Residential Dwelling

**Direction:** South

**Current Base Zoning:**

**Current Land Uses:** Parking Lot/Health Center

**Direction:** West

**Current Base Zoning:**

**Current Land Uses:** Vacant Property

**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:**

The Mixed Use District is a special district designed to provide a concentrated mix of residential, retail, service, and office uses. A site plan is required for a rezoning to “MXD” that will include the location of the uses. A zoning review is performed by the Zoning Section of the Development Services Department during the review of the building permit.

**Transportation**

**Thoroughfare:** Sidney Brooks

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Josue Sanchez

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes in proximity to the subject property.

**Routes Served:** 32, 34

**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 properties is 1.5 parking spaces per unit. The minimum parking requirement for a professional office is 1 parking space per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

Proposed Zoning: To provide a concentrated mix of residential, retail, service, and office uses.

The "MXD" proposed a maximum density of 18 units per acre.

**FISCAL IMPACT:**

None.

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

The property is located within a half mile of the Metro Premium Transit Corridor and is within the Brooks Regional Center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.  
**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 Area Regional Center Plan and is currently designated as “Regional Mixed Use” in the future land use component of the plan. The requested “MXD” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Urban Mixed Use”. Staff and Planning Commission recommend Approval.
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:** The existing “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “MXD” Mixed Use District is also an appropriate zoning for the property and surrounding area. The proposed rezoning request is to develop multifamily residential dwellings units and professional offices. In accordance with the Brooks Area Regional Center Plan, mixed-use is encouraged along Goliad Road, South New Braunfels Avenue, and sections adjacent to Interstate-37. The subject property abuts vacant property and property zoned “MXD” comprised of commercial, single-family, and multi-family uses. Given the size of the property and its location abutting vacant properties and other “MXD” properties, the proposed request is suited for the area and will not have an adverse impact on the character of 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 not appear to conflict with any public policy objective of the Brooks Area Regional Center Plan. Relevant policies and objectives include:
  - Housing 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.
  - Land Use Recommendation #3: Evaluate, and update as needed, zoning and development regulations that impede implementation of Brooks Area Regional Center Plan land uses and desired urban form.
  - Strategy 3.1 (Regulatory and Policy, Investment) Develop new, mixed-use zoning districts tailored to implementing the mixed-use land use categories adopted into the UDC, including Neighborhood Mixed-Use; Urban Mixed-Use; Regional Mixed-Use; Employment/Flex Mixed-Use; and Business/Innovation Mixed-Use.
  - Focus Area Recommendation #1 - Create mixed-use community destinations that increase residential, employment, and recreational opportunities throughout the Brooks Area Regional Center.
  - Strategy #1: Apply mixed-use land use designations in Focus Areas to ensure residential, commercial, and recreation uses will be developed in close proximity to one another.
  - Land Use Recommendation #4 The Planning Department should continue to work with the Brooks Development Authority and developers of the State Hospital Focus Area to provide land use and zoning designations that facilitate the growth, vitality, and economic prosperity.
  - Strategy #1: Regularly review land use and strategic plans with Brooks Development Authority and developers of large parcels disposed by the State Hospital to help identify policy, land use, and

zoning changes necessary to facilitate desired developments that also fulfill SA Tomorrow goals.

- **Housing 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.
  - **Land Use Recommendation #3:** Evaluate, and update as needed, zoning and development regulations that impede implementation of Brooks Area Regional Center Plan land uses and desired urban form.
    - o **Strategy 3.1:** (Regulatory and Policy, Investment) Develop new, mixed-use zoning districts tailored to implementing the mixed-use land use categories adopted into the UDC, including Neighborhood Mixed-Use; Urban Mixed-Use; Regional Mixed-Use; Employment/Flex Mixed-Use; and Business/Innovation Mixed-Use.
  - **Focus Area Recommendation #1** - Create mixed-use community destinations that increase residential, employment, and recreational opportunities throughout the Brooks Area Regional Center.
    - o **Strategy 1:** Apply mixed-use land use designations in Focus Areas to ensure residential, commercial, and recreation uses will be developed in close proximity to one another.
  - **Land Use Recommendation #4:** The Planning Department should continue to work with the Brooks Development Authority and developers of the State Hospital Focus Area to provide land use and zoning designations that facilitate the growth, vitality, and economic prosperity.
    - o **Strategy 1:** Regularly review land use and strategic plans with Brooks Development Authority and developers of large parcels disposed by the State Hospital to help identify policy, land use, and zoning changes necessary to facilitate desired developments that also fulfill SA Tomorrow goals.
6. **Size of Tract:** The 3.326 acre site is of sufficient size to accommodate the proposed mixed-use development.
7. **Other Factors:** Zoning changes to these parcels do not have any impacts to any historic properties.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates both residential and commercial uses.

The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 3.326 acres, there could potentially be development of 60 units.