



City of San Antonio

Agenda Memorandum

Agenda Date: February 20, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:
ZONING CASE Z-2023-10700362

SUMMARY:
Current Zoning: "C-2 NA" Commercial Nonalcoholic Sales District.

Requested Zoning: "MF-18" Limited Density Multi-Family District

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: This case was continued from the January 16, 2024 meeting.

Case Manager: Ashley Leal, Senior Planner

Property Owner: Vedam Holdings LLC c/o Saikumar Nukala

Applicant: Law Office of EAR PLLC

Representative: Elizabeth Russell

Location: Generally located in the 4000 block of Gardendale Street

Legal Description: 1.182 acres out of NCB 14281

Total Acreage: 1.182 Acres

Notifications

Notices Mailed: 83

Registered Neighborhood and Community Associations: N/A

Applicable Agencies: N/A

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 41427, dated December 26, 1972, and zoned “R-3” Multiple-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-3” Multiple-Family Residence District converted to “MF-33” Multi-Family District. The subject property was rezoned by Ordinance 201705180373, dated May 18, 2017, to the current “C-2 NA” Commercial Nonalcoholic Sales District.

Code & Permitting Details:

There is no relevant code enforcement or permitting history for the subject property.

Topography: The property does not contain any abnormal physical features such as slope or incursion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “RM-4”

Current Land Uses: Townhomes

Direction: East

Current Base Zoning: “MF-33”

Current Land Uses: Condominiums

Direction: West

Current Base Zoning: “O-2”

Current Land Uses: Healthcare services

Direction: South

Current Base Zoning: “C-1”

Current Land Uses: Grocery store

Overlay District Information:

None.

Special District Information:

None.

Transportation

Thoroughfare: Gardendale Street

Existing Character: Local

Proposed Changes: None known.

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

Routes Served: 534

Traffic Impact: The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is Not Required.

Parking Information: The minimum parking requirement for Multi-Family Dwelling is 1.5 per unit and maximum parking requirement is 2 per unit.

Proximity To Regional Center/Premium Transit Corridor:

The subject property is within the Medical Center Regional Center and within ½ a mile from the Fredericksburg Premium Transit Corridor.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-2 NA” Commercial Nonalcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: “MF-18” Limited Density Multi-Family District permits 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.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

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

1. Consistency: The subject property is located within the Medical Center Area Regional Center Plan, adopted on October 3, 2019, and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “MF-18” limited density multi-family 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. Properties surrounding the subject site are zoned “C-2 NA” Commercial Nonalcoholic Sales, “O-2” High Rise Office, “Mf-33” Multi-Family, and “RM-4 PUD” Planned Unit Mixed Residential District.

3. Suitability as Presently Zoned: The existing “C-2 NA” Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The proposed “MF-18” Limited Density Multi-Family District is also a consistent zoning for the property and surrounding area. The subject property is surrounded by a mix of different multi-family uses, including townhomes, and condominium lofts. The proposed rezoning supports the Strategic Housing Implementation Plan (SHIP) for diverse housing types for various 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 objective. 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 P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.
- 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.

Relevant Goals and Guiding Principles from the Medical Center Area Regional Center Plan may include:

- Goal 3 – Encourage vibrant, accessible, mixed-use activity nodes that serve the needs of the surrounding neighborhoods for area workers and visitors.

6. Size of Tract: The 1.182 acres site is of sufficient size to accommodate the proposed residential development.

7. Other Factors: The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 1.182 acres, there could potentially be development of 21 units.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100.

Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.