



City of San Antonio

Agenda Memorandum

Agenda Date: April 6, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 7

SUBJECT:
ZONING CASE Z-2022-10700344

SUMMARY:
Current Zoning: “RE” Residential Estate District and “C-2” Commercial District

Requested Zoning: “MF-25” Low Density Multi-Family District

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: February 7, 2023

Case Manager: Ashley Leal, Zoning Planner

Property Owner: RB Dan, LLC

Applicant: RB Dan, LLC

Representative: The Kaufman Group

Location: 5994 Whitby Road

Legal Description: 2.819 acres out of NCB 14657

Total Acreage: 2.819

Notices Mailed**Owners of Property within 200 feet:** 9**Registered Neighborhood Associations within 200 feet:** Alamo Farmsteads Babcock Road**Applicable Agencies:** Planning Department**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 41426, dated December 25, 1972 and zoned Temporary "R-1" Single-Family Residence District. A portion of the property was rezoned by Ordinance 59643, dated October 25, 1984 to "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2" Business District converted to the current "C-2" Commercial District. The property zoned Temporary "R-1" Single Family Residence was rezoned by Ordinance 94424, dated August 23, 2001 to the current "RE" Residential Estate 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:** C-2**Current Land Uses:** Multi-Family Development**Direction:** South**Current Base Zoning:** C-3R**Current Land Uses:** Food Service Establishment**Direction:** East**Current Base Zoning:** C-1**Current Land Uses:** Multi-Family Development**Direction:** West**Current Base Zoning:** C-2**Current Land Uses:** Assisted Living Facility**Overlay District Information:**

N/A

Special District Information:

N/A

Transportation**Thoroughfare:** Whitby Road**Existing Character:** Local**Proposed Changes:** None Known

Public Transit: VIA bus routes are within walking distance of the subject property.
Route Served: 604

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 Dwelling – Multi-Family (25 units maximum) is 1.5 per unit. The maximum parking requirement for Dwelling – Multi-Family (25 units maximum) is 2 per unit.

ISSUE:
None

ALTERNATIVES:

Current Zoning: “RE” Residential Estate District allows single-family dwelling (detached) with a minimum lot size of one acre (43,560 square feet) and a minimum lot width of 120 feet, accessory dwelling, public and private schools.

“C-2” Commercial District accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining

Proposed Zoning: “MF-25” Low Density Multi-Family District allows multi-family development up to a maximum density of 25 units per acre.

FISCAL IMPACT:
None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within any Regional Centers but located within ½ a mile from the Huebner Grissom 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 Huebner/Leon Creeks Community Plan and is currently designated as “High Density Residential” in the future land use component of the plan. The requested “MF-25” 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.
3. **Suitability as Presently Zoned:** The existing “RE” Residential Estate District is not an appropriate zoning for the property and surrounding area, promoting lower density residential, in contrast to the higher density residential character of surrounding properties, and “C-2” Commercial District is also not an appropriate zoning, promoting commercial uses, which is not permitted within “High Density Residential” land use designation. The proposed “MF-25” Low Density Multi-Family District is an appropriate zoning for the property. Adjacent properties to the north and east are currently multi-family developments. The request also aligns with the goals and strategies of the Strategic Housing Implementation Plan (SHIP) and provides additional housing for 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 proposed zoning change is generally consistent with the goals and policies of the SA Tomorrow Comprehensive Plan and the goals, objectives, and action steps of the Huebner/Leon Creeks Community Plan.

Relevant Goals and Policies from the SA Tomorrow Comprehensive Plan may include:

GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods

Housing 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.

Housing Policy 10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals, Objectives, and Action Steps from the Huebner/Leon Creeks Community Plan may include:

Heart of the Neighborhood Goal 1: Community Character and Quality of Life Preserve the character and quality of life of the Huebner/Leon Creeks Community.

Heart of the Neighborhood Objective 1.1: Growth Management - Promote new commercial and residential development that is respectful of the primarily residential character of the area.

Heart of the Neighborhood Action Step 1.1.1: Promote development that preserves trees and natural elements and respects the scale and proportion of the existing structures.

6. **Size of Tract:** The 2.819 acre 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 25 units per acre. At 2.819 acres, there could potentially be development of 70 units.

The applicant intends to construct the maximum allowable 70 units.