



City of San Antonio

Agenda Memorandum

Agenda Date: May 2, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:

ZONING CASE Z-2023-10700076

(Associated Plan Amendment PA-2023-11600020)

SUMMARY:

Current Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 2, 2023

Case Manager: Adolfo Gonzalez

Property Owner: Infinity Real Properties

Applicant: One Stop Contractors

Representative: One Stop Contractors

Location: the 200 Block of Cosgrove Street

Legal Description: Lot 27 and Lot 28, Block 21, NCB 3815

Total Acreage: 0.4821

Notices Mailed**Owners of Property within 200 feet:** 34**Registered Neighborhood Associations within 200 feet:** Highland Park Neighborhood Association**Applicable Agencies:** Not applicable**Property Details**

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned "B" Residence District. The property was rezoned by Ordinance 92506, dated September 14, 2000, to "B-2 NA" Business Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2 NA" Business Non-Alcoholic Sales District converted to "C-2 NA" Commercial Nonalcoholic Sales District. The property was rezoned by Ordinance 2011-02-03-0099, dated February 3, 2011, to the current "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:** "RM-4" and "R-6"**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** "R-6"**Current Land Uses:** Vacant Property**Direction:** South**Current Base Zoning:** "R-6"**Current Land Uses:** Vacant Property**Direction:** West**Current Base Zoning:** "I-1"**Current Land Uses:** Restaurant**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:

None.

Transportation

Thoroughfare: South Gevers Street

Existing Character: Collector

Proposed Changes: None known.

Thoroughfare: Cosgrove Street

Existing Character: Local

Proposed Changes: None known.

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

Routes Served: 32

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 multifamily dwelling is 1.5 spaces per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-6" Residential Single-Family District permits 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" Multifamily District permits 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:

The subject property is not located within a Regional Center and within ½ a mile from the New Braunfels Avenue Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate Recommendation of "MF-18" Limited Density Multi-Family District.

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 Southeast Community Area Plan and is currently designated as "Urban Low Density Residential" in the future land use component of the plan. The requested "MF-33" base zoning district is not consistent with the future land

use designation. The applicant has requested a Plan Amendment to "Medium Density Residential".

- 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. There is a mix of zoning in this area with "RM-4" Residential Mixed District to the north and "I-1" General Industrial and "C-2NA" Commercial Nonalcoholic Sales to the west.
- 3. Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is an appropriate zoning for the property and established single-family use for surrounding area. The proposed "MF-33" Multi-Family District is not an appropriate zoning for the property and surrounding area. The subject property equals 21,000 square feet, and in the current "R-6" Residential Single-Family base zoning district, the subject property could potentially be replatted into three separate lots, potentially allowing a main dwelling unit along with accessory detached dwelling unit on each lot, giving an overall count of six (6) dwelling units. The proposed "MF-33" base zoning district would permit up to sixteen (16) dwelling units and is far too dense for the area. The alternate recommendation of "MF-18" Limited Density Multi-Family District would permit up to nine (9) dwelling units and would be more appropriate in accordance with the established future land use classification.
- 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 appears to conflict with public policy objective of the Southeast Community Plan. Goals, objectives, and recommendations may include:
 - Housing Recommendation #1: Attract a greater diversity of housing product types and options for existing and new residents, in all stages of life.
 - Land Use Recommendation #1: Maintain residential and nonresidential densities that are consistent with historic patterns, to strengthen and preserve established neighborhoods.
 - Strategy 1.1 (Regulatory and Policy): Oversee City-initiated rezoning efforts in areas where current zoning districts are not aligned with land uses designated by the Southeast Community Area Plan.
 - Strategy 1.2 (Regulatory and Policy): Review development standards to ensure infill, revitalization, and adaptive reuse projects consistent with historic patterns (particularly as they relate to setbacks, encroachments, scale, parking, and first floor uses) are possible and not disproportionately burdensome.
- 6. Size of Tract:** The 0.4821 acre site is of sufficient size to accommodate the proposed residential development.
- 7. Other Factors** The applicant intends to develop twelve (12) dwelling units on the subject property.

