



City of San Antonio

Agenda Memorandum

Agenda Date: May 18, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2023-10700027

SUMMARY:

Current Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 4, 2023

Case Manager: Elizabeth Steward, Zoning Planner

Property Owner: Jeffery and Lisa Tschirhart

Applicant: Palladium USA International, Inc.

Representative: Peloton Land Solutions

Location: 5319 Crestway Road

Legal Description: 10.0697 acres out of NCB 13802

Total Acreage: 10.0697

Notices Mailed

Owners of Property within 200 feet: 9

Registered Neighborhood Associations within 200 feet: Bristol Forest HOA

Applicable Agencies: N/A

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 39443, dated May 26, 1971 and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 56016, dated October 21, 1982 to "B-2" Business District and "R-3" Multiple-Family Residence 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 and the property zoned "R-3" Multiple-Family Residence District converted to the current "MF-33" Multi-Family District.

Topography: A portion of subject property is located with the 100 Year Flood Plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: I-1 and C-2

Current Land Uses: Apartment Complex

Direction: South

Current Base Zoning: R-6

Current Land Uses: Easement and Church

Direction: East

Current Base Zoning: I-1

Current Land Uses: 18 Wheeler Storage

Direction: West

Current Base Zoning: I-1

Current Land Uses: Construction Contractor Facility

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:

N/A

Transportation

Thoroughfare: Crestway Road

Existing Character: Minor

Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property. Routes served: 17, 8, 214, 21, 629, 632, 630, 502, 509

Traffic Impact: The traffic generated by the proposed development has increase it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502** A TIA Report will be required.

Parking Information: The minimum parking requirement for Multi-family units is 1.5 spaces per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: The "C-2" Commercial districts accommodate 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. The "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.

Proposed Zoning: The "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:

The subject property is located within the NE I-35 and Loop 410 Regional Center and is within ½ mile from the Looper 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 Northeast I-35 and Loop 410 Regional Center Plan and is currently designated as "Employment/ Flex Mixed Use" 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 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 and begins to consolidate the zoning of properties in the area.
3. **Suitability as Presently Zoned:** The existing “MF-33” Multi-Family District and “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The requested “MF-33” Multi-Family District is also an appropriate zoning. The proposed “MF-33” Multi-Family District exists on a portion of the property and this request seeks to consolidate an abutting “C-2” Commercial zoned property to “MF-33” Multi-Family District. The request is also consistent with the Strategic Housing Implementation Plan which encourages diverse housing options for all 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 objectives of the Northeast I-35 and Loop 410 Regional Center Plan.
 - Recommendation #1: Increase the diversity of housing options within the NE I-35 and Loop 410 Area Regional Center to support residents at all stages of life and income levels.
 - Goal 1: Encourage economic development and business diversity that nurture positive community identity.
 - Recommendation #3: Implement housing and economic development programs and incentives to support focus areas and mixed-use corridors as inclusive places of housing, employment, and recreational opportunity for a diverse population.
6. **Size of Tract:** The 10.0697 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The current “C-2” Commercial District is eligible for “MF-33” multi-Family development per Section 35-D101(d) of the Unified Development Code, any tract or parcel zoned under the 1965 district as "B-2", prior to the adoption date of this chapter, allows multi-family to a density of 33 units per acre so long as such tract is not the subject of rezoning. All yard, height and setback standards must comply with article III Table 310-1 for the density of the apartments being developed.

The applicant intends to construct a multi-family project. At 33 units per acre there is a potential for up to 330 units.