



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-5166

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/22/2019

**Title:** ZONING CASE Z2018334 (Council District 7): Ordinance amending the Zoning District Boundary from “R-6” Residential Single-Family District, “R-20” Residential Single-Family District, and “RE” Residential Estate District to “MF-18” Limited Density Multi-Family District on 3.413 acres out of NCB 14653, located at 5917 Whitby Road. Staff and Zoning Commission recommend Approval. (Continued from June 20, 2019)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Metes and Bounds, 5. Ordinance 2019-08-22-0690

Date	Ver.	Action By	Action	Result
8/22/2019	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018334

**SUMMARY:**

**Current Zoning:** “R-6” Residential Single-Family District, “R-20” Residential Single-Family District, and “RE” Residential Estate District

**Requested Zoning:** “MF-18” Limited Density Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 15, 2019

**Case Manager:** Mary Morales-Gonzalez, Senior Planner

**Property Owner:** H-E-B, LP

**Applicant:** David Weekly Homes

**Representative:** Brown & Ortiz, P.C.

**Location:** 5917 Whitby Road

**Legal Description:** 3.413 acres out of NCB 14653

**Total Acreage:** 3.413

**Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** Alamo Farmsteads Babcock Road Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on December 26, 1972 (Ordinance 41426) and was zoned “Temporary R-1” Temporary Residential District. Portions of the subject property were rezoned to the current “R-20” Residential Single-Family District and “RE” Residential Estate District (Ordinance 94424, dated August 23, 2001). Another portion of the property converted to the current “R-6” Residential Single-Family District upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-20, RE, R-6, I-1, C-3, C-3R

**Current Land Uses:** Vacant Land, Public Storage Facility, Restaurant, HEB

**Direction:** East

**Current Base Zoning:** C-2, C-3R

**Current Land Uses:** Retail Center

**Direction:** South

**Current Base Zoning:** C-2, C-1, C-3

**Current Land Uses:** Apartment Complex, Fast Food Restaurant

**Direction:** West

**Current Base Zoning:** R-6, RM-5, C-2

**Current Land Uses:** Townhomes, Apartments

**Overlay and Special District Information:** None.

**Transportation**

**Thoroughfare:** Whitby Road

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There is a bus stop within walking distance of the subject property on Huebner Road along Bus Route 604.

**Traffic Impact:** A Traffic Impact Analysis may be required.

**Parking Information:** The use of Multi-Family requires a minimum of 1.5 parking spaces per unit and allows a maximum of two (2) parking spaces per unit. The use of a Professional Office requires a minimum of one (1) parking space per 300 square-feet of the Gross Floor Area (GFA) and permits a maximum of one parking space per 140 square-feet of the GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-6” base zoning district permits single-family dwellings (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. The “R-20” base zoning district permits single-family dwellings (detached) with a minimum lot size of 20,000 square feet and a minimum lot width of 90 feet, accessory dwelling, foster family home, public and private schools. The “RE” base zoning district permits single-family dwellings (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.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center, but is located within a half-mile of the Huebner-Grissom Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend 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 Huebner/Leon Creeks Community Land Use Plan and is currently designated as “Mixed Use Center” in the land use component of the plan. The requested “MF-18” base zoning district is consistent with the adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found 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. There are multi-family uses to the south and to the west of the subject property.

**3. Suitability as Presently Zoned:**

The existing “RE” and “R-20” base zoning districts are not appropriate for the surrounding area. With the subject property being located in close proximity to the Babcock Road and Huebner Road intersection, large-tract single-family lots are not appropriate. A dense residential or commercial use is ideal for the subject property.

#### **4. Health, Safety and Welfare:**

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The requested multi-family district is kept to a limited density of eighteen (18) units per acre, and does not pose 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. The subject property is located adjacent to the Medical Center Area Regional Center as identified in the SA Tomorrow Comprehensive Plan, as well as in the SA Corridors Huebner/Babcock Concept Station Plan. The site is classified as a mixed use center future land use and is located north of Huebner Road and west of Babcock Road. The area surrounding the site includes commercial, single-family and multifamily uses. The zoning change is requested to permit the development of approximately 53 detached single-family condominiums.

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

GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.

GCF Goal 2: Priority growth areas attract jobs and residents.

GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.

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.

H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

The proposed zoning change is consistent with the goals and policies of the SA Tomorrow Comprehensive Plan and the SA Corridors Framework Plan. The proposed zoning change is also consistent with the adopted Huebner/Leon Creek Community Plan.

#### **6. Size of Tract:**

The 3.413 acre site is of sufficient size to accommodate the proposed development. The lot is currently vacant and is in close proximity to retail centers and other commercial uses.

#### **7. Other Factors:**

The applicant proposes to develop approximately 53 single-family condominiums.