



# City of San Antonio

## Agenda Memorandum

**File Number:** 13-1044

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**Agenda Item Number:** Z-13.

**Agenda Date:** 12/5/2013

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 8

**SUBJECT:**

Zoning Case Z2014007

**SUMMARY:**

**Current Zoning:** "MF-33" Multi-Family District and "C-3R" General Commercial Restrictive Alcoholic Sales

**Requested Zoning:** "MF-40" Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2013

**Case Manager:** Osniel Leon, Planner

**Property Owner:** BBG Lands, LP (by Daniel J. Kubinski, Member, Aracoeli, LLC, General Partner)

**Applicant:** Flournoy Development Company (by Brady Blair, Senior Vice President)

**Representative:** Kaufman & Killen, Inc. (Ashley Farrimond)

**Location:** 4949 Hamilton Wolfe

**Legal Description:** Lot 10, Block 3, NCB 17171

**Total Acreage:** 6.75

**Notices Mailed**

**Owners of Property within 200 feet:** 272

**Neighborhood Associations:** None (within 200 feet)

**Planning Team Members:** 41 - North Sector Plan

**Applicable Agencies:** None

## **Property Details**

**Property History:** The southern portion of the subject property was annexed in 1963 and was originally zoned "Temp A" Temporary Single Family Residential District. The northern portion of the subject property was annexed in 1972 and was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 1982, the property was rezoned to "R-3" Multi-Family Residence District. In a 1985 case, the western portion of the property was rezoned to "B-3R" Restrictive Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "MF-33" Multi-Family District and "C-3R" General Commercial Restrictive Alcoholic Sales District, respectively. The property is platted and is currently undeveloped.

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

## **Adjacent Zoning and Land Uses**

**Direction:** Northwest

**Current Base Zoning:** "R-4 PUD"

**Current Land Uses:** Drainage right-of-way and single-family residences

**Direction:** West

**Current Base Zoning:** "C-3R"

**Current Land Uses:** Undeveloped land

**Direction:** South and East

**Current Base Zoning:** "R-5" and "MF-33"

**Current Land Uses:** Public trails, condominiums and apartments

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** Hamilton Wolfe Road

**Existing Character:** Local Street; two lanes in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the number 522, which operates along Floyd Curl west of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required but may be deferred to the building permit stage. A traffic engineer must be present at the Zoning Commission meeting.

**Parking Information:** Parking requirements for multi-family residential uses are determined by the total number of dwelling units.

Minimum Parking Requirement: 1.5 spaces per unit. Maximum Parking Requirement: 2 spaces per unit.

## **ISSUE:**

None.

**ALTERNATIVES:**

A denial of the zoning request will result in the subject property retaining the existing multi-family zoning designation.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (9-0) recommend approval, pending plan amendment.

**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 North Sector Plan, and is currently designated Regional Center in the future land use component of the plan. The requested “MF-40” is not consistent with the adopted land use designation. A master plan amendment has been submitted, requesting to change the land use designation to Mixed Use Center. Staff and Planning Commission recommend approval of the plan amendment request.

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

Staff finds no likely adverse impacts of the requested zoning change on neighboring properties. Multi-family zoning is most appropriate at the periphery of single-family neighborhoods, and along arterials or major thoroughfares where supporting infrastructure, such as public transportation and commercial facilities are present. The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares. Additionally, the requested zoning designation accommodates higher density residential development options that are compatible with the existing development pattern on adjacent properties.

**3. Suitability as Presently Zoned:**

The existing zoning is appropriate for the subject property. Both the existing and requested zoning districts allow multi-family uses. The subject property is located near the medical center, in an area with many established large-scale employers. The proposed higher density development is appropriate for the property’s location.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to this request.

**5. Public Policy:**

Should the plan amendment request be approved, the request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is 6.75 acres in size, which reasonably accommodates the multi-family residences and the parking requirements. The current zoning district would allow a maximum of 222 units on the property; the requested zoning will allow an additional 48 units.

**7. Other Factors:**

The applicant is requesting an 8 foot-tall fence surrounding the property. The UDC limits the height of front yard fences to 3 feet for solid fences and 4 feet for predominantly open fences; and allows a maximum of 6 feet in height for the side yard and rear yard. In accordance with Section 35-514(d)(2)D, City Council may approve

additional fence height in conjunction with a rezoning request.