



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 17, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2024-10700249 CD

**SUMMARY:**

**Current Zoning:** "R-6 WQ MLOD-2 MLR-2 AHOD" Residential Single-Family Water Quality Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD WQ MLOD-2 MLR-2 AHOD" Residential Single-Family Water Quality Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2024. This case was continued from December 3, 2024.

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Chris Evans and Merrick Donnelly

**Applicant:** Chris Evans

**Representative:** Chris Evans

**Location:** 1216 Leal Street

**Legal Description:** 0.25 acres out of NCB 2205

**Total Acreage:** 0.25 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 38

**Registered Neighborhood Associations within 200 feet:** West End Hope in Action Neighborhood Association and Prospect Hill Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base, Planning Department, Public Works Department

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District converted to the "MF-33" Multi-Family District. The property was large area rezoned by Ordinance 2023-08-03-0516, dated August 3, 2023, to the current "R-6" Residential Single-Family District.

### **Code & Permitting History:**

There is no code enforcement or permitting history for the subject property.

**Topography:** A small piece of the northern portion of the property is included in the 100 Year Floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-2, R-4, R-1 UZROW

**Current Land Uses:** Residential Dwellings, Alazan Creek

**Direction:** South

**Current Base Zoning:** R-4, R-6, R-3, R-5

**Current Land Uses:** Residential Dwellings

**Direction:** East

**Current Base Zoning:** UZROW, R-3, R-2, R-1

**Current Land Uses:** Residential Dwellings, Alazan Creek

**Direction:** West

**Current Base Zoning:** R-4, R-5

**Current Land Uses:** Residential Dwellings

### **Overlay District Information:**

The "WQ" Water Quality Protection Area Overlay District is designed to ensure adequate treatment of storm water runoff that may potentially produce toxic, corrosive, polluted, poisonous, radioactive, unpalatable, or otherwise dangerous substances injurious to the public health or which could otherwise adversely affect the water quality or supply, and thereby minimizing the risk of potential occurrences wherein such substances could enter the water of the West Side Creeks.

The "MLOD-2" Lackland Military Lighting Overlay District does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

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:** Leal Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Monclova Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 79, 277

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement Dwelling – 2 Family is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family allows for 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: “R-6” Residential Single-Family allows for 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.

The “CD” Conditional Use is to allow for two (2) dwelling units.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within ½ a mile of the Zarzamora Premium Transit Corridor and the Commerce – Houston Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
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. Surrounding properties are “R-6” Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family is an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” Residential Single-Family with a Conditional Use for two (2) dwelling units is also appropriate. The proposal would retain the single-family base zoning, while allowing for the consideration of two additional units. The prescribed site plan prevents expansion of the building footprint and ensures adequate parking is available for the two dwelling units. Deviation from the approved document could potentially warrant additional council consideration. Furthermore, the request aligns with the goals of the Strategic Housing Implementation Plan (SHIP) which supports the development of additional and alternate housing types to accommodate the City’s growing population, at 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. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - 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.
  - GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
6. **Size of Tract:** The subject property is 0.25 acres, which can reasonably accommodate the proposed commercial development.

- 7. Other Factors:** The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant is rezoning to develop two (2) dwelling units.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The proposal is for two (2) units.

The proposed rezoning maintains the residential base district but is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.