



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 5, 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-2024-10700215

(Associated Plan Amendment PA-2024-11600064)

**SUMMARY:**

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

**Requested Zoning:** "MF-25 IDZ MLOD-2 MLR-2 AHOD" Low Density Multi-Family Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2024. This case was continued from October 1, 2024.

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

**Property Owner:** GSN LLC

**Applicant:** GSN LLC

**Representative:** Patrick Christensen

**Location:** 240 Hawthorne Street and 122 Orange Street

**Legal Description:** Lot 6, Block 5, NCB 6567, and the north 95.85 feet of Lot 4, Block 2, NCB 3730

**Total Acreage:** 0.8726 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 64

**Registered Neighborhood Associations within 200 feet:** St. Leo's Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base, Planning 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. The property was rezoned by Ordinance 85113, dated November 7, 1996, and zoned "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

**Code & Permitting Details:**

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

**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-6, R-4

**Current Land Uses:** Single-Family Residential

**Direction:** South

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Residential

**Direction:** East

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

**Current Land Uses:** Single-Family Residential

**Direction:** West

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Residential

**Overlay District Information:**

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:**

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

**Transportation**

**Thoroughfare:** Hawthorne Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Orange Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 44, 243, 43

**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 Dwelling-Multi-Family is 1.5 spaces per unit, and the maximum parking requirement is two (2) spaces per unit.

“IDZ” as an overlay district waives the minimum parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** “R-6” Residential Single-Family District 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:** “MF-25 IDZ” Low Density Multi-Family District allows for any uses permitted plus in MF-18 plus college fraternity dwelling, off-campus school dormitory/housing, but with a maximum density of 25 units per acre.

“IDZ” as an overlay district waives the minimum parking requirement.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or within ½ a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

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

**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 South Central San Antonio Community Plan, adopted in 1999, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “MF-25” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “High Density Residential”. Staff recommends Denial. Planning Commission recommendation pending the October 23, 2024, hearing.
2. **Adverse Impacts on Neighboring Lands:** Staff does find 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. Surrounding properties are “R-6” Residential Single-Family District and “R-4” Residential Single-Family District.
3. **Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "MF-25 IDZ" Low Density Multi-Family Infill Development Zone Overlay District is not. The subject property is mid-block, abutting residential single-family properties and the proposed multi-family zoning introduces a higher density which is not consistent with existing development. Additionally, the IDZ overlay, which waives the parking requirement, could potentially cause street parking, and overburden the residential street within the current neighborhood.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with public policy objectives of the South Central San Antonio Community Plan:
  - Land Use Concepts: Low-density residential uses are located throughout the community. The majority of medium-density and high-density residential uses are located along arterials or thoroughfares.
  - Strategy 2.1 – Infill Housing: Develop voluntary design guidelines as a strategy to maintain the architectural character of neighborhood areas.
  - High density residential is typically located along or near major arterials or collectors.
  - High density residential uses should be located in a manner that does not route traffic through other residential uses.

6. **Size of Tract:** The subject property is 0.8726-acres , which can reasonably accommodate the proposed residential 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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The property is proposed for development of multifamily uses that shall not exceed 25 units per acre. At 0.8726 acres, there could potentially be development of 21 units. The applicant is requesting to build 18 units.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single-family district within 50 feet of the property line.

The proposed rezoning 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.