



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 3, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 7

**SUBJECT:**

ZONING CASE Z-2024-10700175

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "RM-4 MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 3, 2024

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

**Property Owner:** Pablo Torre / Torresoto, LLC

**Applicant:** Pablo Torre / Torresoto, LLC

**Representative:** Pablo Torre

**Location:** 2326 Cincinnati Avenue

**Legal Description:** Lot 8, the east 15 feet of Lot 7, and the west 30 feet of Lot 9, Block 13, NCB 9213

**Total Acreage:** 0.2661 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Woodlawn Lake Neighborhood Association

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

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 4156, dated October 16, 1946, and zoned “B” Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B” Residence District converted to the current “R-4” Residential Single-Family District.

**Code & Permitting Details:**

Residential Repair Permit – REP-RRP-PMT-24-35300494 – February 2024

Mechanical Investigation – INV-MEC-INV24-23400356 – May 2024

Plumbing Investigation – NV-PLB-INV24-23500358 – May 2024

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** MF-33, C-2

**Current Land Uses:** Apartments, Community Center

**Direction:** South

**Current Base Zoning:** R-4

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

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Church, Residential Single-Family, Duplexes

**Direction:** West

**Current Base Zoning:** R-4

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

**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:**

There is no special district information.

**Transportation**

**Thoroughfare:** Cincinnati Avenue

**Existing Character:** Minor

**Proposed Changes:** None Known

**Thoroughfare:** West Ashby Place

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are VIA transit routes within a ½ mile of the subject property.

**Routes Served:** 524, 89, 289, 88, 288,

**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-4 Family is one and a half (1.5) spaces per unit, and the maximum parking requirement is two (2) spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-4” Residential Single-Family District allows for dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: “RM-4” Residential Mixed District allows for single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, 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 within a ½ mile of the General McMullen-Babcock Premium Transit Corridor and the Bandera 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 located within the Near Northwest Community Plan, adopted in 2002, and is currently designated as "Medium Density Residential" in the future land use component of the plan. The requested "RM-4" 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. Surrounding properties are "R-4" Residential Single-Family District and "MF-33" Multi-Family District.
3. **Suitability as Presently Zoned:** The existing "R-4" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "RM-4" Residential Mixed District is also appropriate. While surrounding properties are zoned "R-4" Residential Single-Family District, many have the benefit of the "B" to "R-4" conversion which permits duplexes. Thus, the density of the proposed zoning is consistent with the surrounding area. Additionally, the existing structure is designed as a quadplex and will maintain the existing footprint and location. The proposed rezoning supports the Strategic Housing Implementation Plan (SHIP) for diverse housing types for various 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 Near Northwest Community Plan:
  - Goal 3: Housing
    - o Objective 3.1: Rental Housing, provide well-maintained housing for a mix of incomes.
    - o Objective 3.2: Home Improvement and Maintenance, encourage investment in housing improvement and maintenance.
    - o Objective 3.4: Housing Development, encourage new housing development that is compatible with the community's character.

Relevant goals and objects of the Comprehensive Plan may include:

- 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.
- H P30: Ensure infill development is compatible with existing neighborhoods.
- H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

6. **Size of Tract:** The subject property is 0.2661 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The applicant is rezoning to bring the existing quadplex into compliance.

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.

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.