



City of San Antonio

Agenda Memorandum

Agenda Date: May 16, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2024-10700064 CD

SUMMARY:

Current Zoning: “R-4 AHOD Residential Single-Family Airport Hazard Overlay District

Requested Zoning: “R-4 CD IDZ AHOD” Residential Single-Family Infill Development Zone Overlay Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 16, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Yesenia Regalado

Applicant: Webb 110 LLC

Representative: Ortiz McKnight, PLLC

Location: 110 Webb Street

Legal Description: Lot 13, Block 17, NCB 3221

Total Acreage: 0.1607 acres

Notices Mailed

Owners of Property within 200 feet: 22

Registered Neighborhood Associations within 200 feet: N/A

Applicable Agencies: Planning Department

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 1256, dated August 3, 1944, and was originally 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:

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 incursion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “R-4”

Current Land Uses: Single Family Dwellings

Direction: East

Current Base Zoning: “C-2”

Current Land Uses: Restaurant, Commercial uses

Direction: South

Current Base Zoning: “R-4”, “I-1”

Current Land Uses: Single Family Dwellings

Direction: West

Current Base Zoning: “I-1”, “R-4” “UZROW”

Current Land Uses: Warehouses, Railroad, Two units

Overlay District Information:

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: Webb

Existing Character: Local
Proposed Changes: None

Thoroughfare: South Presa Street
Existing Character: Minor Secondary Arterial B
Proposed Changes: None

Public Transit: There is public transit within walking distance of the subject property.
Routes Served: 36, 242

Traffic Impact: **The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is Not Required

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

ISSUE:
None

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family District allows for a Single-family 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: "R-4 CD IDZ" Residential Single-Family District allows for a Single-family 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.

The “CD” Conditional Use would allow for four (4) dwelling units.

The “IDZ” overlay district waives the minimum parking requirement.

FISCAL IMPACT:
None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is not located within a Regional Center but is located within ½ a mile of the Rockport Subdivision Metro Premium Plus Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate Recommendation for “R-4 CD” Residential Single-Family with a Conditional Use for two (2) dwelling units and removing the “IDZ” Infill Development Zone Overlay. Zoning Commission 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 South Central San Antonio Community Plan, adopted October 2005, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-4” base zoning district is consistent with the land use designation.
- 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. The surrounding properties are established “R-4” Residential Single-Family zoning districts and uses.
- 3. Suitability as Presently Zoned:** The current “R-4” Residential Single-Family District is appropriate zoning for the property and surrounding area. The proposed “R-4 CD IDZ” Residential Single-Family Infill Development Zone District with a Conditional Use for four (4) dwelling units is not appropriate. The proposed density of four dwelling units is not consistent with density in the area and would introduce a higher density that is not established in the neighborhood. Staff recommends two dwelling units since there are existing two-unit developments within proximity, and the subject property is currently permitted density of two (2) dwelling units by Section 35-D101(j) Duplexes in former 1938 "B" Zoning District. Additionally, the “IDZ” overlay district to waive parking is also found to be unsuitable. Webb Street is a local residential street which is affected due to its location from the busy arterial, South Presa Street. The commercial traffic from the adjoining businesses limits the parking options for the established residential neighboring properties, so to waive required parking would further strain parking along the street.
- 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 objective. Relevant Goals and Policies from the Comprehensive Plan may include:
 - GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - GCF Policy 14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding higher-density development.
 - Housing 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.
 - Housing Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
 - Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Policies from the South Central San Antonio Community Plan may include:

- Goal 1: Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations.
- Goal 2: Encourage patterns of development that provide the full range of housing choices and promote a sense of community, urban vitality, and the efficient provision of infrastructure.
- Objective 2 – Housing: Encourage the rehabilitation of existing homes and the construction of new housing.

6. **Size of Tract:** The subject property is 0.1607 acres, which could not reasonably accommodate four (4) dwelling units.
7. **Other Factors:** 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 for four (4) 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 requests the use of four (4) dwelling 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.