



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 7, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2023-10700134

(Associated Plan Amendment PA-2023-11600032)

**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-18 MLOD-2 MLR-2 AHOD" Limited Density Multifamily Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 17, 2023. This item was continued from the September 19, 2023 and October 3, 2023 hearings.

**Case Manager:** Adolfo Gonzalez

**Property Owner:** Jacqueline Arsate and John Reyes

**Applicant:** Jacqueline Arsate

**Representative:** Jacqueline Arsate

**Location:** 239 McCauley Boulevard

**Legal Description:** Lots 316 and 317, NCB 8728

**Total Acreage:** 0.3857

**Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** Harlandale-McCollum Neighborhood Association

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

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1391, dated September 23, 1944, and zoned "E" Apartment District. The property was rezoned by Ordinance 25392, dated August 15, 1957, to "B" Residence District. The property was rezoned by Ordinance 84398, dated July 11, 1996, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 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 relevant 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-6"

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential Dwelling

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential Dwelling

**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:**

None.

**Transportation**

**Thoroughfare:** McCauley Boulevard

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Clamp Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 44

**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 multifamily dwelling is 1.5 spaces per unit. The maximum parking requirement for multifamily dwelling is 2.0 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District permits 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-18" Limited Density Multi-Family District permits limited multi-family development to a density of 18 units per acre.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center and within ½ a mile from the Southwest Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial with an Alternate Recommendation of “R-6 CD” Residential Single-Family District with a Conditional Use for four (4) dwelling units. 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 Community Plan and is currently designated as "Low Density Residential" in the future land use component of the plan. The requested "MF-18" 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 recommends Approval.
2. **Adverse Impacts on Neighboring Lands:** Staff finds 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 zoned ‘R-6’ 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-18" Limited Density Multi-Family District is not an appropriate zoning. The surrounding area is an established single-family residential development, and staff finds the potentially proposed six (6) dwelling units too high of density to smoothly integrate in the neighborhood. Based on the property size and neighborhood character, staff’s recommendation of “R-6 CD” Residential Single-Family with Conditional Use for four (4) dwelling units would align more closely with the established residential density in the area.
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 appear to conflict with any public policy objective. Relevant Goals and Policies of the SA Tomorrow 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 Objectives, and Strategies of the South Central San Antonio Community Plan may include:

- Objective 2 – Housing: Encourage the rehabilitation of existing homes and the construction of new housing (1999).
- Strategy 2.1 – Infill Housing: Construct all types of infill housing on vacant lots throughout the entire Community (1999).

6. **Size of Tract:** The 0.3857 acre site is of sufficient size to accommodate the proposed multifamily 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.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.

The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 0.3857 acres, there could potentially be development of seven (7) units. The applicant is requesting to build six (6) 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.