



City of San Antonio

Agenda Memorandum

Agenda Date: May 21, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2024-10700085 CD

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: "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for four (4) units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 21, 2024

Case Manager: Alexa Retana, Zoning Planner

Property Owner: Joseph Rodriguez

Applicant: Joseph Rodriguez

Representative: Joseph Rodriguez

Location: 727 Stonewall Avenue

Legal Description: 0.313 acres out of NCB 7896

Total Acreage: 0.313 acres

Notices Mailed**Owners of Property within 200 feet:** 27**Registered Neighborhood Associations within 200 feet:** Tierra Linda Neighborhood Association**Applicable Agencies:** Planning Department, Lackland Air Force Base**Property Details**

Property History: The subject property was annexed into the City of San Antonio by Ordinance 1391, dated September 22, 1944, and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 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 flood plain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** R-4, C-2, RM-6**Current Land Uses:** Residential Dwelling, Food Service Establishment**Direction:** South**Current Base Zoning:** R-4, C-2NA**Current Land Uses:** Residential Dwelling, Car Dealer**Direction:** East**Current Base Zoning:** R-4**Current Land Uses:** Residential Dwelling, Church**Direction:** West**Current Base Zoning:** R-4**Current Land Uses:** Residential Dwelling, School**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.

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.

Special District Information:

There is no special district information.

Transportation

Thoroughfare: Stonewall Avenue

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Commercial Avenue

Existing Character: Local

Proposed Changes: None Known

Public Transit: There are VIA bus routes within walking distance of the subject property.

Routes Served: 46, 246, 515

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 for Dwelling- 4 Family is 1.5 space per unit. The maximum is 2 per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family District permits 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" Residential Single-Family District permits 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.

If approved, the Conditional Use would permit four (4) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of a 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 Nogalitos/South Zarzamora Community Plan, adopted September 2004, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-4 CD” 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 zoning districts include “R-4” Residential Single-Family, “RM-6” Residential Mixed and “R-5” Residential Single-Family Districts.
3. **Suitability as Presently Zoned:** The current “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family District with a Conditional Use for four (4) dwelling units is also appropriate. The proposal would retain the single-family base zoning, while allowing for the consideration of four additional units. The prescribed site plan prevents expansion of the building footprint and ensures adequate parking is available for the four 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.

Relevant Goals and Objectives of the Nogalitos/South Zarzamora Community Plan may include:

- Goal 1: Housing Improve the quality, appearance, and variety of existing and new housing for people of all ages while preserving the character of the neighborhoods.
- Housing Objective 1.1 Home Improvement and Maintenance: Encourage investment in housing rehabilitation and maintenance.
- Housing Objective 1.2 Diversity of Housing: Provide a variety of housing types that sustain all ages and economic groups.

6. **Size of Tract:** The subject property is 0.313 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, 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 has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The applicant intends to rezone to "R-4 CD" to allow for 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.

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, the Office of Historic Preservation has not received an application for demolition at this address and a demolition application with OHP will be required if demolition is a listed scope of work.