



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 21, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon, Director

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2024-10700308

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "RM-5 MLOD-2 MLR-1 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 21, 2025

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** Gloria Elizondo Garcia

**Applicant:** Gloria Elizondo Garcia

**Representative:** Gloria Elizondo Garcia

**Location:** 843 Southwest 37th Street

**Legal Description:** Lot 17, Block 17, NCB 8990

**Total Acreage:** 1.0014 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** Los Jardines Neighborhood Association

**City-Wide Community Organization:** T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous

**Applicable Agencies:** Lackland AFB, Planning Department

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1448, dated October 11, 1944, and zoned "C" Apartment District. The property was rezoned by Ordinance 68428, dated December 1, 1988, 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 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 floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6", "R-6 CD for Two (2) Units"

**Current Land Uses:** Single Family Dwellings

**Direction:** East

**Current Base Zoning:** "R-6", "R-6 CD for Two (2) Units", "R-6 CD for Ten (10) Units"

**Current Land Uses:** Single Family Dwellings, Apartments

**Direction:** South

**Current Base Zoning:** "R-6", "R-6 CD for Two (2) Units"

**Current Land Uses:** Single Family Dwellings

**Direction:** West

**Current Base Zoning:** "R-6", "R-6 CD for Two (2) Units", "RM-5"

**Current Land Uses:** Single Family Dwellings

### **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:**

N/A

**Transportation**

**Thoroughfare:** Southwest 37<sup>th</sup> street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Marbauch Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 75, 68, 268

**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-3 FAMILY is 1.5 spaces per unit.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District permits a 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: "RM-5" Residential Mixed District permits a single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 5,000 square feet and a minimum lot width of 15 feet, public and private schools.

**FISCAL IMPACT:**

None

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

Subject property is not located within a Regional Center or within ½ a mile from 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 West/Southwest Sector Plan, adopted in 2011, and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "RM-5" 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 zoned "RM-5" Residential Mixed Use, "R-6" CD Residential Single-Family District with a Conditional Uses for 10 units and 2 units, and "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 "RM-5" Residential Mixed Use is also appropriate. The surrounding area is comprised of other similar densities and zones making the proposal consistent with what is present in the area. Additionally, the proposed zoning is also consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of 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 objectives. Relevant Goals and Policies of the West/Southwest Sector Plan may include:
  - Goal HOU-1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.
  - HOU-1.2: Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.
  - Goal HOU-2: New housing developments locate near existing community facilities, schools, and physical infrastructure (e.g., streets, water, sewer, etc.) with sufficient capacity to serve new developments.
  - Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.
- 6. Size of Tract:** The 1.0014 acre site is of sufficient size to 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.

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 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.