



City of San Antonio

Agenda Memorandum

Agenda Date: December 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONNG CASE Z-2023-10700098 CD

SUMMARY:

Current Zoning: "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

Requested Zoning: "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 1, 2023. This case was continued from the July 18, 2023 hearing.

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Robert Encina

Applicant: Rene LaFuenta

Representative: Rene LaFuenta

Location: 243 Moraima Street

Legal Description: Lots 32-34, Block 3, NCB 8540

Total Acreage: 0.2135

Notices Mailed

Owners of Property within 200 feet: 36

Registered Neighborhood Associations within 200 feet: Los Jardines Neighborhood Association

Applicable Agencies: Lackland AFB and Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 1258, dated August 3, 1944, and zoned "C" Apartment District. The property was rezoned by Ordinance 72510, dated October 18, 1990, to "R-7" SUP Small Lot Home District with Special Use Permit for two (2) residences. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-7" SUP Small Lot Home District with Special Use Permit for two (2) residences converted to the current "R-4 CD" Residential Single-Family District with a Conditional Use for two (2) dwelling units.

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 Dwelling

Direction: East

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Dwelling

Direction: South

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Dwelling

Direction: West

Current Base Zoning: "C-2NA CD" Conditional Use for Wrecker Service

Current Land Uses: Trucking Service

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: Moraima Street

Existing Character: None

Proposed Changes: None Known

Thoroughfare: Castroville Road

Existing Character: Secondary Arterial A

Proposed Changes: None Known

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

Routes Served: 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 a four (4) family dwelling is 1.5 per unit. The maximum parking requirement for a four (4) family dwelling is 2 per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4 CD" Residential Single-Family Districts allows 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 allows for two (2) dwelling units.

Proposed Zoning: "R-4 CD" Residential Single-Family Districts allows 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center and is not within ½ a mile from any Premium Transit Corridors

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “R-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.
3. **Suitability as Presently Zoned:** The existing “R-4 CD” Residential Single-Family District with a Conditional Use for two (2) dwelling units 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 an appropriate zoning for the property and surrounding area. The request includes a prescribed site plan, which addresses different development aspects like parking and the layout of the four (4) units. The additional density is also consistent with the Strategic Housing Implementation Plan for diverse housing for 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 of the Comprehensive Plan and the West/Southwest Sector Plan:

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 Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
- Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Strategies of the West/Southwest Sector Plan may include:

- Housing Goal 1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.
- Housing Strategy: 1.1 Promote quality design and construction for new housing
- Housing Strategy 1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.
- Housing Strategy 3.1: Re-invest in existing residential neighborhoods.
- Housing Goal 4: New and existing housing incorporates green building technology to improve energy efficiency and reduce resource consumption.
- Land Use Goal 1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.

6. **Size of Tract:** The 0.2135-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, JBSA 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 is rezoning to develop 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.