



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 20, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2024-10700105

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "MF-65 IDZ MLOD-2 MLR-2 AHOD" Urban Multi-Family Infill Development Zone Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 4, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** S.A. Hogar, Inc.

**Applicant:** Cesar Chavez Foundation

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** 120 South Trinity Street

**Legal Description:** Lot 13, Block 4, NCB 2313

**Total Acreage:** 1.8586 acres

**Notices Mailed****Owners of Property within 200 feet:** 32**Registered Neighborhood Associations within 200 feet:** Historic Westside Residents Neighborhood Association and Prospect Hill Neighborhood Association**Applicable Agencies:** Lackland Air Force Base, Planning Department**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally split zoned, with the northern half being zoned "J" Commercial District and the southern half being zoned "F" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the portion zoned "J" Commercial District converted to the current "I-1" General Industrial District and the portion zoned "F" Local Retail District converted to the current "C-2" Commercial District.

**Code & Permitting History:** There is no code enforcement or permitting details 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:** IDZ-2, R-6, NC**Current Land Uses:** Vacant, Residential Dwellings**Direction:** South**Current Base Zoning:** C-2**Current Land Uses:** Gas Station, Law Office**Direction:** East**Current Base Zoning:** C-1, I-1, C-2**Current Land Uses:** Day Care, Pet Store, Vacant, Apartments**Direction:** West**Current Base Zoning:** C-2, I-1, IDZ**Current Land Uses:** Retail Store, Beauty Salon, Residential Dwellings, Restaurant**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:**

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:** South Trinity Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Buena Vista Street

**Existing Character:** Principal

**Proposed Changes:** None Known

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

**Routes Served:** 75, 275, 76, 276, 25, 66, 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 multi-family development is 1.5 spaces per unit. The maximum parking requirement for multi-family development is 2 spaces per unit.

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

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “C-2” Commercial Districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

“I-1” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service, and storage.

Proposed Zoning: “MF-65 IDZ” Urban Multi-Family District- Any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

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

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center but is within a ½ mile of the Commerce-Houston Metro Premium Plus Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial with an Alternate Recommendation of “IDZ-3” High Intensity Infill Development Zone with uses permitted in “MF-65”. 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 Westside Community Plan, adopted in 2007, and is currently designated as "Mixed Use" in the future land use component of the plan. The requested "MF-65" base zoning district is consistent with the future 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 consistent with the established development pattern of the surrounding area, but the request to waive parking could negatively impact adjacent properties.
3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District and “I-1” General Industrial District is an appropriate zoning for the property and surrounding area. The proposed "MF-65 IDZ" Urban Multi-Family District Infill Development Zone Overlay is not. While the proposed multi-family development aligns with the existing development pattern of the area, the “IDZ” overlay to waive parking would cause considerable congestion for the local streets. Additionally, the commercial traffic from the adjoining businesses limits the parking options for the established residential neighboring properties. Staff recommends an Alternate Recommendation of “IDZ-3” with uses permitted in “MF-65” to achieve additional housing, but meet the 50% minimum parking standard.
4. **Health, Safety and Welfare:** Staff has 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 5: Growth and city form support improved livability in existing and future neighborhoods.

- GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
- GCF P14: 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 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.
- Housing Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.

Relevant Goals and Policies from the Guadalupe Westside Community Plan may include:

- Goal 20 Housing: Improve the quality, variety, and accessibility of the private and public housing stock within the GWS Community for individuals of all ages and economic levels.
- Objective 20.1: Promote a diverse variety of housing stock in the community that sustains all ages and economic groups.
- Objective 20.1.1 Encourage and facilitate the development of quality, diverse housing that is compatible with the character of the neighborhood.
- Objective 20.1.2 Promote the development of a variety of housing sizes and prices including retirement housing, assisted living, quality affordable single-family houses, small apartment complexes (6 to 20 units), and housing in mixed-use buildings.

- 6. Size of Tract:** The subject property is 1.8586-acres, which can reasonably accommodate the proposed residential development.
- 7. Other Factors:** The applicant intends to rezone to "MF-65 IDZ" to develop multi-family apartments with a density of 65 units per acre. At 1.8586 acres, this would allow a maximum of approximately 121 units on this property. The applicant is requesting to build 47 additional units to the current 48-unit development, for a total of 95 units.

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 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.