



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 5, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2023-10700186

**SUMMARY:**

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

**Requested Zoning:** "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with permitted for six (6) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2023. This item was continued from November 7, 2023 meeting.

**Case Manager:** Joseph Leos, Zoning Planner

**Property Owner:** Golden Trading LLC

**Applicant:** Golden Trading LLC

**Representative:** Asad Halai

**Location:** 1407 Leal Street

**Legal Description:** Lot 10A, Lot 10B, and Lot 11A, NCB 2190

**Total Acreage:** 0.2826

**Notices Mailed**

**Owners of Property within 200 feet:** 24

**Registered Neighborhood Associations within 200 feet:** Prospect Hill and West End Hope in Action

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

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was zoned “J” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “J” Commercial District converted to “I-1” General Industrial District. The property was rezoned by Ordinance 2023-02-02-0056, dated February 2, 2023, to the current “C-2” Commercial 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 floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Retail

**Direction:** East

**Current Base Zoning:** “I-1” and “C-3”

**Current Land Uses:** Auto Repair Shop

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Single-Family Dwelling

**Direction:** West

**Current Base Zoning:** “R-6”

**Current Land Uses:** Single-Family 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:**

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:** Leal Street

**Existing Character:** None

**Proposed Changes:** None Known

**Thoroughfare:** North Zarzamora Street

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known

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

**Routes Served:** 79, 103, 277

**Traffic Impact:** A TIA study may be required based on the information provided at time of platting and/or permitting.

**\*\*The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\***

A TIA Report is Not Required.

**Parking Information:** The minimum parking requirement for 7 dwelling units is 1.5 per unit. The maximum parking requirement for 7 dwelling units is 2 per unit.

“IDZ-2” waives the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “C-2” Commercial District accommodates 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.

Proposed Zoning: “IDZ-2” Medium Intensity Infill Development Zone District allows rezoning requests up to 50 units per acre and uses permitted in “C-2” and “O-1.5”. All approved uses must

be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The “IDZ-2” zoning request would permit up to six (6) dwelling units.

**FISCAL IMPACT:**

None.

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

Subject property is not located within a Regional Center and within ½ a mile from the Zarzamora 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 not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
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 “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The requested “IDZ-2” Medium Intensity Infill Development Zone with permitted for six (6) dwelling units is also an appropriate zoning. The property is fittingly placed to accommodate six (6) dwelling units, sitting between a single-family residence and an auto body and repair shop, creating a buffer between the conflicting uses. Additionally, the request is consistent with the goals of the Strategic Housing Implementation Plan which encourages diverse housing options for all income levels. The proposed “IDZ” Infill Development Zone district also holds the applicant to a prescribed site plan which indicates the use and proposed structures, and will require an additional consideration by City Council if there are any major changes.
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 objective.

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.

- 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.
6. **Size of Tract:** The 0.2826-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 applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses, with a proposal of six (6) dwelling units.

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.