



City of San Antonio

Agenda Memorandum

Agenda Date: May 6, 2025

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2024-10700083 CD

SUMMARY:

Current Zoning: "R-5 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 a Duplex

Requested Zoning: "R-5 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) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 6, 2025

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Golden Lion Trading LLC

Applicant: Asad Halai

Representative: Russell Felan

Location: 608 South Park Boulevard

Legal Description: Lot 3, Block 38, NCB 6281

Total Acreage: 0.1481 acres

Notices Mailed

Owners of Property within 200 feet: 28

Registered Neighborhood Associations within 200 feet: Collins Garden Neighborhood Association
City-wide Community Organizations: Women in Film & Television San Antonio, San Antonio African American Community Archive and Museum

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Applicable Agencies: Parks and Recreation, Office of Historic Preservation, Lackland, Planning Department

Property Details

Property History: The subject property is within the Original 36 square miles of the City of San Antonio and was zoned “B” Residence District. The property was then rezoned by Ordinance 76368, dated August 27, 1992, to “R-5 SUP” Single-Family Residence District with a Special Use Permit for a Duplex. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned “R-5 SUP” Single-Family Residence District with a Special Use Permit for a Duplex converted to the current “R-5 CD” Residential Single-Family District with a Conditional Use for a Duplex.

Code & Permitting Details:

Short Term Rental (STR) Permit Application (STR-24-13400172) February 2024

Short Term Rentals Licensing Investigation (INV-PST-INV24-3010002482) July 2024

Zoning UDC Investigation (INV-ZRD-24-3170001931) July 2024

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-5”, “R-5 CD”

Current Land Uses: Park, Single Family Dwelling, Duplex

Direction: East

Current Base Zoning: “R-5”, “R-5 CD”

Current Land Uses: Single Family Dwelling, Duplex

Direction: South

Current Base Zoning: “R-5”, “R-5 CD”

Current Land Uses: Single-Family Dwelling, Duplex

Direction: West

Current Base Zoning: “R-5”, “R-5 CD”, “RM-6”

Current Land Uses: Single Family Dwelling, Duplex

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.

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Special District Information:

N/A

Transportation

Thoroughfare: South Park Boulevard

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Marian Street

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Roslyn Avenue

Existing Character: Local Street

Proposed Changes: None Known

Public Transit: There is no public transit within walking distance of the subject property.

Routes Served: None

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 four (4) dwelling units is 1.5 spaces per unit.

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Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Marian Street

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Roslyn Avenue

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Proposed Changes: None Known

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Routes Served: None

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Parking Information: The minimum parking requirement for four (4) dwelling units is 1.5 spaces per unit.

ISSUE:
None

ALTERNATIVES:

Current Zoning: Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

The "CD" Conditional Use is for a Duplex.

Proposed Zoning: "R-5 CD" Residential Single-Family District allows for a Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

The "CD" Conditional Use is for four (4) dwelling units.

FISCAL IMPACT:
None

PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:

The subject property is not located within a Regional Center but is located within ½ a mile from the Zarzamora Metro Premium Plus Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial.

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 and is currently designated as "Low Density Residential" in the future land use component of the plan. The requested "R-5 CD" 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 not consistent with the established development pattern of the surrounding area. Surrounding properties are “R-5” Residential Single-Family and “RM-6” Residential Mixed District which allows a maximum of two (2) units.
3. **Suitability as Presently Zoned:** The current “R-5 CD” Residential Single-Family with Conditional Use for a Duplex is an appropriate zoning for the property and surrounding area. The proposed “R-5 CD” Residential Single-Family with Conditional Use for four (4) dwelling units is not appropriate. Even though, the proposed request is keeping the “R-5” base zone, the proposed density does not align with the surrounding single-family residential development pattern. The highest density in the area is two (2) units, which is already permitted by the Conditional Use on the subject property.
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 appear to conflict with any public policy. Relevant goals and objects of the 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. - H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center. - H P30: Ensure infill development is compatible with existing neighborhoods. - H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects. Relevant goals and policies 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. - OBJECTIVE 1.1: HOME IMPROVEMENT AND MAINTENANCE – Encourage investment in housing rehabilitation and maintenance. - OBJECTIVE 1.2: DIVERSITY OF HOUSING – Provide a variety of housing types that sustain all ages and economic groups.
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- OBJECTIVE 1.1: HOME IMPROVEMENT AND MAINTENANCE – Encourage investment in housing rehabilitation and maintenance.
- 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 0.1481 acres, which does not reasonably accommodate four (4) dwelling units.
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 applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. 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.

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