



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 17, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700179

**SUMMARY:**

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

**Requested Zoning:** "IDZ-1 MLOD-2 MLR-1 AHOD" Limited Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District, "O-1" Office District and ten (10) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2024. This case was continued from September 3, 2024

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

**Property Owner:** CG Structures LLC

**Applicant:** Namaau Technological & Industrial

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

**Location:** 1327-1343 Southwest 35th Street and 2526, 2614, and 2618 El Jardin Road

**Legal Description:** Lot 14E, Lot 14F, Lot 14G, Lot 32, Lot 15A, Lot 15B, Lot 13K, Lot 14B, Lot 14H, and Lot 14K, Block 8, NCB 8084

**Total Acreage:** 4.0154 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 36

**Registered Neighborhood Associations within 200 feet:** Thompson Neighborhood Association

**Applicable Agencies:** Lackland AFB, Office of Historic Preservation

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned “B” Residence District. A portion of the property was rezoned by Ordinance 39677, dated July 15, 1971, to “I-1” Light Industry District. A portion of the property was rezoned by Ordinance 48373, dated August 18, 1977, to “I-1” Light Industry District. A portion of the property was rezoned by Ordinance 65106, dated May 28, 1987, to “I-1” Light Industry District and “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 and the property zoned “I-1” Light Industry District converted to the current “I-1” General Industrial District.

**Code & Permitting Details:**

Administrative Hearing (COD-ADH-REQ24-43902071) May 2024

Property Maintenance Investigation Structure Exterior (INV-STE-24-2640005514) February 2024

Zoning UDC Investigation Zoning - Residential District (INV-ZRD-24-3170000353) February 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-6"

**Current Land Uses:** Single Family Dwellings

**Direction:** East

**Current Base Zoning:** "I-1", "R-6"

**Current Land Uses:** Warehouse, Contractor Facility, Single Family Dwellings

**Direction:** South

**Current Base Zoning:** “I-1”

**Current Land Uses:** Warehouse

**Direction:** West

**Current Base Zoning:** "I-1", "C-3NA", "C-3R"

**Current Land Uses:** Warehouse, Single Family Dwellings, Contractor Facility

**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:**

N/A

**Transportation**

**Thoroughfare:** Southwest 35th Street

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** El Jardin Road

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Dale Road

**Existing Character:** Local

**Proposed Changes:** None

**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 requirements for multi-family uses is 1.5 spaces per unit. The parking requirements for commercial and office district uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

**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.

"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: "IDZ-1" Limited Intensity Infill Development Zone allows rezoning requests up to 18 units per acre, and uses permitted in "C-1" and "O-1". 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 proposed "IDZ-1" would allow for uses permitted in "C-1" Light Commercial District, "O-1" Office District, and 10 dwelling units.

**FISCAL IMPACT:**

None

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

The subject property is located within the Port San Antonio Regional Center but is not within a ½ mile of 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 Port San Antonio Area Regional Center Plan, adopted in 2021, and is currently designated as "Neighborhood Mixed Use" in the future land use component of the plan. The requested "IDZ-1" 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 "R-6" Residential Single-Family and "I-1" General Industrial zoned districts.
- 3. Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is appropriate and "I-1" General Industrial District is not an appropriate zoning for the property and surrounding area. Common land use principles recommend that high density/intensity land uses are separated by lower intense uses to buffer and reduce the impact on residential uses that are nearby. The proposed "IDZ-1" Limited Intensity Infill Development Zone with uses permitted in "C-1" Light Commercial District, "O-1" Office District, and ten (10) dwelling units is appropriate. The request to rezone is to permit a mixed use development in which the applicant provides a live work environment for his workforce. The proposed development will establish the residential units on the northside of the property, nearest to the abutting single-

family residential, providing a buffer from the light commercial and office uses to the south. Furthermore, the applicant will have to adhere to the prescribed site plan required for "IDZ-1". Any deviation from the approved document could potentially warrant additional council consideration.

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 SA Tomorrow Comprehensive Plan may include:
  - GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
  - GCF Goal 2: Priority growth areas attract jobs and residents.
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.
  - GCF P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.Relevant Goals and Policies of the Port San Antonio Area Regional Center Plan may include:
  - Goal 1: Attract, retain, and support businesses and local talent to promote science, aerospace, aviation, logistics, and technology.
  - Goal 4: Increase housing options while preserving or increasing home ownership rates.
6. **Size of Tract:** The 4.0154-acre site is of sufficient size to accommodate the proposed residential and commercial 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.

The property is proposed for development of multifamily uses that shall not exceed ten (10) units.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential and commercial uses. The request would permit ten (10) 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.