



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 7, 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-2022-10700320

(Associated Plan Amendment PA-2022-11600111)

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 MLOD-2 MLR-2 AHOD" Limited Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 7, 2023. This item was continued from the December 20, 2022 and January 17, 2023 hearings.

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** Dignity Realty LLC

**Applicant:** Anthony Almaraz and George Kingland

**Representative:** Anthony Almaraz and George Kingland

**Location:** 143 Forrest Avenue, 145 Forrest Avenue

**Legal Description:** the south 78 feet of Lot 39, Block B, NCB 2874 and the south 62 feet of Lot 38, Block B, NCB 2874 save and except 12.5 square feet

**Total Acreage:** 0.1768

**Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** Collins Garden Neighborhood Association

**Applicable Agencies:** Lackland Army Base, Planning Department

**Property Details**

**Property History:** The property was part of the original 36 square miles of the City of San Antonio and was originally zoned "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District converted to "MF-33" Multi-Family District. The property was rezoned by Ordinance 2006-12-14-1441 to the current "R-5" Single-Family Residential District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-5"

**Current Land Uses:** Residential Dwelling

**Direction:** South

**Current Base Zoning:** "R-5 CD"

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** "R-5"

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** "R-5 CD"

**Current Land Uses:** Residential Dwelling

**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:** Forrest Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Mockert Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 43, 44, 243, 51, 251

**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 a single-family residential dwelling unit is 1 parking space.

The IDZ-1 base zoning district waives the parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-5” Residential Single-Family District permits 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.

Proposed Zoning: “IDZ-1” Limited 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. I

The proposed “IDZ-1” would allow three (3) dwelling units.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Lone Star Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ-1” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Low Density Mixed Use”. Staff and Planning Commission recommend Approval.
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.
3. **Suitability as Presently Zoned:** The current “R-5” Residential Single-Family District is an appropriate zoning for the subject property and surrounding land use. The proposed “IDZ-1” Limited Infill Development Zone District with uses permitted for three (3) dwelling units is also appropriate. The subject property is in an established single-family neighborhood, with duplexes and triplexes also permitted by conditional uses in proximity to the property. Additionally, the subject property is located at the corner of two local streets, which is an ideal placement for infill housing. The proposed use will also provide an alternative housing type to the area and aligns with the goals of the Strategic Housing Implementation Plan (SHIP).
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 appear to conflict with any public policy objectives of the Lone Star Community Plan:
  - LU-6: Establish policies that provide for a range of housing types that are affordable to people at most income levels.
  - LU-6.1 Rezone to provide for a range of housing types including single-family detached, townhouses, senior housing, live/ work units, and apartments.
6. **Size of Tract:** The subject property is 0.1561 Acres, which can reasonably accommodate the proposed development.
7. **Other Factors** The applicant intends to rezone to “IDZ-1” Limited Infill Development Zone District with uses permitted for three (3) dwelling units to establish three (3) single-family homes.

The applicant has submitted a site plan in accordance with the requirements of the code.

The subject property is located within the Lackland Army Base 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.