



City of San Antonio

Agenda Memorandum

Agenda Date: May 4, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2023-10700051

SUMMARY:

Current Zoning: "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "RM-4 MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 4, 2023

Case Manager: Forrest Wilson, Principal Planner

Property Owner: INDC Working LLC

Applicant: Development Services Department

Representative: Development Services Department

Location: 1513 Leal Street

Legal Description: Lot 10A and the east 12.84 feet of Lot 9B, Block 3, NCB 2191

Total Acreage: 0.1433

Notices Mailed

Owners of Property within 200 feet: 23

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

Applicable Agencies: Lackland Air Force Base

Property Details

Property History: The subject property was part of the original 36 square miles of the City of San Antonio and 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 2022-10-20-0805, dated October 20, 2022 to “RM-4” Residential Mixed District. The property was then rezoned in error with the large area rezoning by Ordinance 2023-02-02-0056, dated February 2, 2023 to “R-6” Residential Single-Family.

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: MF-33

Current Land Uses: Multi-family

Direction: East

Current Base Zoning: MF-25

Current Land Uses: Multi-family

Direction: South

Current Base Zoning: R-4

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: R-6

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:

None.

Transportation

Thoroughfare: Leal Street

Existing Character: Local

Proposed Changes: None Known

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

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

Parking Information: The minimum parking requirement for a 4-Family Dwelling is 1.5 spaces per unit and the maximum being 2 spaces per unit. At 4 units, that is a minimum of 6 spaces, and maximum of 8 spaces.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-Family allows dwellings (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.

Proposed Zoning: “RM-4” Residential Mixed District allows Residential Single-Family dwellings (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

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

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 “R-6” Residential Single-Family District is appropriate zoning for the property and surrounding area. The “RM-4” Residential Mixed District is also an appropriate zoning for the property. The area is surrounded by single family and multi- family lots. The proposed “RM-4” Residential Mixed District limits the density of the residential development to four units.
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 is not within a neighborhood or community plan.
6. **Size of Tract:** The 0.1433-acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The subject property underwent a change in zoning from “MF-33” to “RM-4” approved on October 20, 2022. The property was then rezoned inadvertently to “R-6” as part of the West End Hope in Action Phase 1 Large Area Rezoning approved on February 2, 2023. Staff was not aware of the previous zoning change. Staff has added steps in the review process to eliminate this from happening in the future. Staff will review the posted tentative zoning cases on a bi-weekly basis. This will ensure that staff is informed of any zoning change applications within an LAR project area.

This case is intended to correct the error by changing the zoning back to “RM-4” as intended by the applicant. If the property is rezoned to “RM-4” Residential Mixed District the maximum number of residential units allowed is four (4).

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.