



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 5, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2023-10700146 CD

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD IDZ AHOD" Residential Single-Family Infill Development Zone Overlay Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 5, 2023. This item was postponed on the August 1, 2023 hearing agenda.

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** Jose and Petra Gomez

**Applicant:** Jose Gomez

**Representative:** Jose Gomez

**Location:** 1827 West Laurel Street

**Legal Description:** the east 37.5 feet of Lot 18, Block 25, NCB 2085

**Total Acreage:** 0.1396 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 29

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

Neighborhood Association

**Applicable Agencies:** 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 2023-02-02-0056, dated February 2, 2023, to the current “R-6” Residential Single-Family District.

**Code & Permitting Details**

There is no relevant code enforcement history for the subject property.

REP-MBR-APP22-35013075 (Residential Repair Permit)- November 2022

ADDR-COD-22-10600724 (Address Verification)- January 2023

**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:** “C-1”, “C-3” “C-2NA”

**Current Land Uses:** Gas Station, Laundromat, Law Office, Truss Manufacturer

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** “R-6”

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** “R-6 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.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** West Laurel Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

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

**Routes Served:** 82, 88, 282, 288, 103

**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 multi-family development is 1.5 spaces per unit.

“IDZ” as an overlay district waives the minimum parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family District permits 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.

Proposed Zoning: “R-6 CD” Residential Single-Family District permits 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.

If approved, the “CD” Conditional Use would permit four (4) dwelling units on the property.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within a ½ mile of the Bandera Premium Transit Corridor and 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, and the proposed density is compatible.
3. **Suitability as Presently Zoned:** The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” Residential Single-Family District with a Conditional Use for four (4) dwelling units is also appropriate. The property was historically zoned to permit multi-family use and developed as a four-plex in 1925 which has been continuously operating as such throughout the years. Due to a large area rezoning approved by City Council on February 2, 2023, the existing four-plex was zoned out of compliance. The rezoning proposal will bring the four units back into compliance, and the “CD” Conditional Use will hold the existing structure to a prescribed site plan. The “IDZ” overlay will allow the applicant to utilize the three existing parking spaces to satisfy the parking requirement. The proposal is also consistent with the goals of the Strategic Housing Implementation Plan (SHIP), which encourages diverse housing options for all income levels.
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 of the SA Comprehensive Plan.

Relevant Goals and Policies of the SA Tomorrow 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 0.1396 acre site is of sufficient size to accommodate the proposed residential development.
  7. **Other Factors:** 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 proposed rezoning maintains the residential base district but is seeking to make the existing four (4) units on the property compliant. 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.