



# 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 4

**SUBJECT:**

ZONING CASE Z-2023-10700195

**SUMMARY:**

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

**Requested Zoning:** "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 5, 2023.

**Case Manager:** Joseph Leos, Planner

**Property Owner:** Victor Hugo Ramirez

**Applicant:** Gerardo Noreiga GNA Architecture, LLC

**Representative:** : Gerardo Noreiga GNA Architecture, LLC

**Location:** Generally located in the 6000 block of Old Sky Harbor.

**Legal Description:** Lot P-49, NCB 15605

**Total Acreage:** 0.670

**Notices Mailed**

**Owners of Property within 200 feet:** 19

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** Planning Department, Lackland Air Force Base

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 41419, dated December 25, 1972, and zoned Temporary "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

**Code & Permitting Details**

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

**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"

**Current Land Uses:** Parking Lot

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residential

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Church

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Vacant Commercial

**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:**

N/A

**Transportation**

**Thoroughfare:** Old Sky Harbor Drive

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Spotted Deer

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 616

**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. A TIA Report is Not Required.

**Parking Information:** The minimum parking requirements for a single-family dwelling is 1 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family District allows 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-5” Residential Single-Family District allows 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.

**FISCAL IMPACT:**

None.

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

The Subject property is not located within a Regional Center, or within ½ a mile of any 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 United Southwest Communities Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-5” 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.
- 3. Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-5” Residential Single-Family District is also an appropriate zoning for the property and surrounding area. The request allows for additional density and housing types in San Antonio while maintaining the character of the neighborhood. The proposed rezoning is also consistent with the Strategic Housing Implementation Plan for diverse housing options to meet the growing San Antonio population at all socio-economic 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 objective.

Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- H 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.
- H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

Relevant Goals and Objectives of the United Southwest Communities Plan may include:

- Goal 2 – Housing: Encourage the development of new housing that is compatible with the community.
- Objective 2.1: Develop New Housing - Encourage single family development.

- 6. Size of Tract:** The 0.670 acre site is of sufficient size to accommodate the proposed development.
- 7. Other Factors:** The property is proposed for development of a residential subdivision with lot sizes of 5,000 square feet. At 0.67 acres, there could potentially be development of five (5) lots. The applicant is proposing five (5) lots with the rezoning.

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 objections/no objections to this request.

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.