



City of San Antonio

Agenda Memorandum

Agenda Date: September 19, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2023-10700226

SUMMARY:

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

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 19, 2023

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: Andrew A. Alderete

Applicant: Andrew A. Alderete

Representative: Andrew A. Alderete

Location: 2036 Ceralvo Street

Legal Description: Lot 22, Block 35, NCB 8073

Total Acreage: 0.0637

Notices Mailed

Owners of Property within 200 feet: 31

Registered Neighborhood Associations within 200 feet: Westwood Square Neighborhood Association

Applicable Agencies: Lackland Air Force Base, Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 2381, dated July 2, 1945, 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 in a large area rezoning by Ordinance 2023-08-03-0515, dated August 3, 2023, to the current "R-2" Residential Single-Family District.

Code & Permitting Details:

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

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: "C-2 NA"

Current Land Uses: Vacant Property

Direction: East

Current Base Zoning: "R-4"

Current Land Uses: Residential Dwelling

Direction: South

Current Base Zoning: "R-4"

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: "R-4"

Current Land Uses: Residential Dwelling

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:

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: Ceralvo Street

Existing Character: Collector

Proposed Changes: None known

Thoroughfare: Juanita Street

Existing Character: Local

Proposed Changes: None known

Public Transit: There is public transportation within walking distance of the subject property.

Routes Served: 66, 268, 524

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for a multifamily development is 1.5 spaces per unit. "IDZ-2" waives the minimum parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-2" Residential Single-Family District permits dwelling with a minimum lot size of 3,000 square feet for R-3, 2,000 square feet for R-2 and 1,250 square feet for R-1 and a minimum lot width of 20 feet, designed to provide options for developing dwelling units for specialized housing markets such as affordable housing, starter homes, and empty nester homes.

Proposed Zoning: "IDZ-2" Medium Intensity Infill Development Zone allows rezoning requests up to 50 units per acre, and uses permitted in "C-2" and "O-1.5". 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 uses for the "IDZ-2" zoning district is two (2) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center, but within ½ a mile from the General McMullen-Babcock Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial.

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 West Sector Plan and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "IDZ-2" base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff finds 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 existing "R-2" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-2" Medium Intensity Infill Development Zone with uses permitted for two (2) dwelling units is not an appropriate zoning for the property and surrounding area. The property is 2,775 sf, while surrounded by properties that are larger than 4,000sf. Due to the limited size, the proposed "IDZ-2" with uses permitted for two (2) dwelling units appears too dense in comparison to the surrounding residential lots. The existing "R-2" base zoning district limits the building height to 1.5 stories and limits the building's lot coverage to 50%. The proposed structure would be inconsistent with these requirements. This property was also recently rezoned in August 2023 in a large area rezoning from "MF-33" Multi-Family District to the current "R-2" Residential Single-Family District.
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 objective. Goals and strategies from the West Sector Plan may include:
 - Goal HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.
 - HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.
 - Goal HOU-2 New housing developments locate near existing community facilities, schools, and physical infrastructure (e.g., streets, water, sewer, etc.) with sufficient capacity to serve new developments.
 - HOU-3.1 Re-invest in existing residential neighborhoods
6. **Size of Tract:** The 0.0637 acre site is not of sufficient size to accommodate the proposed residential 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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses, with a total of two (2) 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.