



City of San Antonio

Agenda Memorandum

Agenda Date: October 3, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2023-10700238 CD

SUMMARY:

Current Zoning: "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 3, 2023

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Victor De Anda Flores

Applicant: Victor De Anda Flores

Representative: Samantha Flores

Location: 1518 Calle Valencia

Legal Description: Lot 28 and Lot 29, Block 5, NCB 8986

Total Acreage: 0.1492

Notices Mailed

Owners of Property within 200 feet: 29

Registered Neighborhood Associations within 200 feet: Los Jardines

Applicable Agencies: Lackland Air Force Base, Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 1258, dated August 2, 1944, and zoned "C" Apartment District. The property was rezoned by Ordinance 75519, dated October 18, 1990, to "R-7" Small Lot Home District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-7" Small Lot Home District converted to the current "R-4" Residential Single-Family District.

Code & Permitting Details:

Permit Investigation (INV-PBP-23-3100001781) - July 2023

There is no 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: "R-4"

Current Land Uses: Single-Family Dwelling

Direction: East

Current Base Zoning: "C-2 NA CD" with Conditional Use for an Auto Repair

Current Land Uses: Auto Repair

Direction: South

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Dwelling

Direction: West

Current Base Zoning: "R-4 CD" with Conditional Use for 6 units

Current Land Uses: 6 dwelling units

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:

None.

Transportation

Thoroughfare: Calle Valencia

Existing Character: None

Proposed Changes: None Known

Thoroughfare: Marbach Road

Existing Character: None

Proposed Changes: None Known

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

Routes Served: 68, 268

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 two (2) dwelling units is 1 per unit. The maximum parking requirement for two (2) dwelling units is 2 per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family District allows single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: "R-4 CD" Residential Single-Family District allows single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

The proposed Conditional Use is for two (2) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located with a Regional Center and is not within ½ a mile from the 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 West/Southwest Sector Plan, last amended in April 2011, and is currently designated as “General Urban Tier “in the future land use component of the plan. The requested “R-4” 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-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family District with a Conditional Use for two (2) dwelling units is also an appropriate. The request would create little-to-no impact on the abutting properties. The Conditional Use zoning requires a prescribed site plan, which addresses different development aspects including parking, height, and site layout of the two (2) units, which cannot be increased without further consideration by City Council. Additionally, the density increase is consistent with the Strategic Housing Implementation Plan for 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 of the West/Southwest Sector.
Relevant Goals and Policies of the Comprehensive Plan may include:
 - 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 5: High-density housing choices are available within the city’s 13 regional centers and along its arterial and transit corridors.Relevant Goals and Objects of the West/Southwest Sector Plan may include:
 - HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.
 - HOU-3.1 Re-invest in existing residential neighborhoods.
 - LU-3.1 Consider re-zoning corridors in accordance with the West/Southwest Sector Land Use Plan
6. **Size of Tract:** The 0.1492-acre site is 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 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 two (2) dwelling units.

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

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.