



# City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** August 15, 2023

**In Control:** Zoning Commission Meeting

---

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2023-10700172 (Associated Plan Amendment PA-2023-11600051)

**SUMMARY:**

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

**Requested Zoning:** "IDZ-1 MLOD-2 MLR-2 AHOD" Limited Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 15, 2023

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

**Property Owner:** Lamar Johnson

**Applicant:** Melissa Gonzales

**Representative:** Marcos Miller

**Location:** 2328 South Brazos

**Legal Description:** the south 117 feet of Lots 37 and 38, and the south 117 feet of the west 12.5 feet of Lot 39, NCB 6181

**Total Acreage:** 0.1518

**Notices Mailed****Owners of Property within 200 feet:** 41**Registered Neighborhood Associations within 200 feet:** Collins Garden Neighborhood Association**Applicable Agencies:** Lackland Airforce Base, Planning Department**Property Details**

**Property History:** The property was in 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 96343 dated September 12, 2002 to the current "R-4" Residential Single-Family District.

**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:** "IDZ" "R-4"**Current Land Uses:** Residential Dwelling (single-family, two unit property)**Direction:** South**Current Base Zoning:****Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:****Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:****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:**

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:** South Brazos Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Thoroughfare:** Tyler Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are VIA bus stops in proximity to the subject property.

**Routes Served:** 51, 62, 251

**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. The maximum parking requirement is 2 spaces per unit.

The “IDZ-1” base zoning district waives the parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: 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: “IDZ-1” Limited Intensity Infill Development Zone District allows rezoning requests up to 18 units per acre and uses permitted in “C-1” and “O-1”. 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.

If approved, the uses permitted would be for three (3) 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 or within a ½ mile of a 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 Nogalitos/South Zarzamora Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ-1” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Medium Density Residential”. Staff recommends Approval, and the Planning Commission recommendation is pending the August 23, 2023 hearing.
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. The property is in a residential neighborhood and proposes a density compatible with the surrounding development pattern.
3. **Suitability as Presently Zoned:** The current “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-1” Limited Intensity Infill Development Zone District with uses permitted for three (3) dwelling units is also appropriate. The property is placed on the corner of two local streets and is sized to adequately accommodate the proposed development. The development will be held to a prescribed site plan that will regulate the unit size and height; any deviation from this City Council approved document could potentially warrant a new rezoning case. The proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of housing stock to accommodate the growing city population.
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 Nogalitos/South Zarzamora Community 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 P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
- 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.
- Housing Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
- Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Objectives of the Nogalitos/South Zarzamora Community Plan may include:

- Housing Goal 1: Improve the quality, appearance, and variety of existing and new housing for people of all ages while preserving the character of the neighborhoods.
- Housing Objective 1.2.3: Encourage quality infill housing that fits the character of the neighborhood.
- Housing Objective 1.2: Diversity of Housing - Provide a variety of housing types that sustain all ages and economic groups.

6. **Size of Tract:** The subject property is 0.1518 Acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The applicant intends to rezone to “IDZ-1” to develop three detached residential units on the property.

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. The proposal features three freestanding single-unit structures.

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.