



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-2023-10700231

SUMMARY:

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

Requested Zoning: "IDZ-3 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with uses permitted for 24 dwelling units.

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 19, 2023

Case Manager: Alfonso Camacho, Senior Planner

Property Owner: HBN Investments, LLC

Applicant: Marex Solutions

Representative: Marex Solutions

Location: 821 Northwest 19th Street

Legal Description: Lot 5, Block 35, NCB 3634

Total Acreage: 0.1942

Notices Mailed

Owners of Property within 200 feet: 42

Registered Neighborhood Associations within 200 feet: Prospect Hill Neighborhood Association and West End Hope in Action Neighborhood Association
Applicable Agencies: Lackland Airfield

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned “F” Local Retail District Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “F” Local Retail District converted to the “C-2” Commercial District. On February 02, 2023, City Council approved Ordinance 2023-02-02-0067 amending the official zoning map for IDZ-3 (from C-2) for the subject property. On August 03, 2023, the City Council approved Ordinance 2023-08-03-0516 for the Prospect Hill Large Area Rezoning which amended the zoning of the subject property to “R-6” Residential Single-Family District (without taking the previous ordinance into account).

Code & Permitting Details:

Complex Plans – Apartments Renovation (COM-PRJ-APP23-39801847) – July 2023

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-6

Current Land Uses: Church

Direction: East

Current Base Zoning: R-6

Current Land Uses: Single-Family Dwelling

Direction: South

Current Base Zoning: R-6

Current Land Uses: Single-Family Dwelling

Direction: West

Current Base Zoning: R-4

Current Land Uses: Single-Family 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: Northwest 19th Street

Existing Character: None

Proposed Changes: None Known

Thoroughfare: Ruiz Street

Existing Character: None

Proposed Changes: None Known

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

Routes Served: 79 and 277

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 requirement for Multi-Family Dwelling is 1.5 per unit. The maximum parking requirement for Multi-Family Dwelling is 2 per unit. "IDZ-3" waives the minimum parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: 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: Allows rezoning requests of unlimited density, and uses permitted in "C-3", "O-2" and "I-1". All approved uses and maximum density 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 "IDZ-3" would permit up to twenty-four (24) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located in or within ½ mile from a Regional Center but located within ½ a mile from 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. Surrounding properties are zoned "R-6", "R-4" and "C-2." Thus, the proposed level of commercial intensity is already established in the area.
3. **Suitability as Presently Zoned:** The existing "R-6" Residential District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-3" Medium Intensity Infill Development with uses permitted for 24 dwelling units is also appropriate. The rezoning to "IDZ-3" Medium Intensity Infill Development District with uses permitted for 24 dwelling units maintains the residential development pattern of the surrounding area.
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 San Antonio Tomorrow Plan. Housing Goals: • Housing Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors. Policy 22: Redevelop vacant and underutilized properties on transit corridors into stand alone or mixed-use higher-density housing. • Housing Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center. Policy 28: Explore commercial and industrial areas in the core of the city for conversion to residential or mixed-use.
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.
 - H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
 - H P31: Prioritize infrastructure investment within existing neighborhoods.
6. **Size of Tract:** The 0.1942 acre site is of sufficient size to accommodate the proposed residential development.

7. **Other Factors:** This property was inadvertently rezoned as part of a large area rezoning in August 2023. It had been rezoned for the multi-family development in February 2023. This application is being processed to resolve this discrepancy.

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 proposed use is for 24 dwelling apartment units.

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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.