



City of San Antonio

Agenda Memorandum

Agenda Date: June 21, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONING CASE Z-2022-10700127

(Associated Plan Amendment PA-2022-11600042)

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: "IDZ-3 MLOD-2 MLR-1 AHOD" High Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with uses permitted for twenty (20) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: July 19, 2022. This case was continued from June 21, 2022.

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Roberto Martinez

Applicant: Yessika Falcon

Representative: Yessika Falcon

Location: 126 Northwest 36th Street

Legal Description: 0.4793 acres out of NCB 8250

Total Acreage: 0.4793 Acres

Notices Mailed**Owners of Property within 200 feet:** 10**Registered Neighborhood Associations within 200 feet:** Memorial Heights and Los Puentes**Applicable Agencies:** Lackland Airfield Base**Property Details****Property History:**

The subject property is currently zoned "R-6" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District. The property was annexed into the City of San Antonio by Ordinance 2590 dated September 5, 1945, and originally zoned "C" Apartment District. The property was rezoned by Ordinance 63586 dated September 4, 1986, to "B-2NA" Business, Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2NA" Business, Non-Alcoholic Sales District converted to "C-2NA" Business, Non-Alcoholic Sales District. The property was rezoned by Ordinance 98010 dated August 14, 2003 to the current "R-6" 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:** "R-6"**Current Land Uses:** Church**Direction:** South**Current Base Zoning:** "R-6"**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** "C-3 S"**Current Land Uses:** Construction Material Retailer**Direction:** West**Current Base Zoning:** "R-6", "MF-33"**Current Land Uses:** Early Learning Center, Apartments**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 36th Street

Existing Character: Secondary Arterial B

Proposed Changes: None Known

Thoroughfare: West Commerce

Existing Character: Secondary Arterial A

Proposed Changes: None Known

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

Routes Served: 75, 76, 275

Traffic Impact: Preliminary Review Only– Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

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 a multifamily dwelling is 1.5 spaces per unit.

“IDZ-3” waives the parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-Family allows dwellings (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: “IDZ-3” High Intensity Infill Development Zone 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.

The proposed “IDZ-3” High Intensity Infill Development Zone District would allow twenty (20) dwelling units in a two-story structure.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center but is within a ½ mile of the Commerce-Houston Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate Recommendation of “IDZ-1” with uses permitted for six (6) dwelling units.

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 and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “IDZ-3” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Mixed Use”. Staff recommends Denial. Planning Commission recommendation pending the June 22, 2022 hearing.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is too intense for the established development pattern of the area. While there is some existing multi-family development in the area, twenty (20) units on this property is inappropriate given the size of the lot and its placement on the block. Additionally, subject property directly abuts single-family occupied homes to the south, and a small church to the north.
3. **Suitability as Presently Zoned:** The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-3” High-Intensity Infill Development Zone is inappropriate for the property and surrounding area. There is some “MF-33” Multi-Family District to the northwest of the subject site and the property also fronts a Secondary Arterial street making some density appropriate for the area. Thus, Staff recommends Denial, with an Alternate recommendation of “IDZ-1” Limited Intensity Infill Development Zone with uses permitted for six (6) dwelling units.
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 the following objectives and goals of the West/Southwest Sector Plan:

- Goal ED-4: Infill and redevelopment opportunities are well planned and incentivized within Loop 410
 - o Encourage high quality site and building design and best management practices for new and existing developments
- Goal HOU-1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
 - o HOU-1.1 Promote quality design and construction for new housing

6. Size of Tract: The subject property is 0.4793 acres, which can reasonably residential development.

7. Other Factors: The applicant intends to rezone to “IDZ-3” High Intensity Infill Development Zone with uses permitted for twenty (20) dwelling units.

On a 20,878 square foot lot the property can be subdivided into three (3) individual lots. Each lot could potentially have up to two (2) dwelling units. Thus, staff recommends a maximum of six (6) dwelling units.