



City of San Antonio

Agenda Memorandum

Agenda Date: April 16, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2024-10700053
(Associated Plan Amendment Case PA-2024-11600021)

SUMMARY:

Current Zoning: "R-3 CD MLOD-2 MLR-2 AHOD" Single-Family Residential Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 16, 2024

Case Manager: Alexa Retana, Zoning Planner

Property Owner: 2M Realty, LLC

Applicant: Legion Consulting

Representative: Legion Consulting

Location: 203 Obregon Street

Legal Description: Lot 20, NCB 6877

Total Acreage: 0.0707 Acres

Notices Mailed

Owners of Property within 200 feet: 49

Registered Neighborhood Associations within 200 feet: Collins Garden Neighborhood Association

Applicable Agencies: Planning Department and Lackland Air Force Base

Property Details

Property History: The property was part of the original 36 square miles of the City of San Antonio and 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 "R-4" Residential Single-Family District. The property was rezoned by Ordinance 2022-12-15-1015, dated December 15, 2022, to the current "R-3 CD" Residential Single-Family District with a Conditional Use for two (2) units.

Code & Permitting Details:

N/A

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," "MF-33"

Current Land Uses: Single-Family Residential, Church

Direction: South

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Residential

Direction: East

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Residential

Direction: West

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Residential

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: Obregon Street

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: South Cibolo Street

Existing Character: Local

Proposed Changes: None known.

Public Transit: There are VIA bus routes within a ½ mile of the subject property.

Routes Served: 62, 251, 66, 268, 103

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: "IDZ-2" waives the minimum parking requirement by 50%. The minimum parking requirement is 1 parking space per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-3 CD" Residential Single-Family District permits single-family 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.

The "CD" Conditional Use permits two (2) dwelling units on the subject property.

Proposed Zoning: "IDZ-2" 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 "IDZ-2" would allow for 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 is within a ½ mile of the Zarzamora 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 Guadalupe/Westside Community Plan, adopted May 3, 2007, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ-2” Medium Intensity Infill Development Zone base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Low Density Mixed Use.” Staff recommends Denial. Planning Commission recommends Denial, for lack of a motion.
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 surrounding properties are established “R-4” Residential Single Family zoning districts and uses.
3. **Suitability as Presently Zoned:** The existing “R-3 CD” Residential Single-Family District with a Conditional Use for two (2) units 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. Because the minimum square footage for “R-3” base zoning district is 3,000 square feet, and for “IDZ-2” base zoning district is 1,250 square feet, the applicant is requesting the rezoning to divide the existing 3,080 square foot lot into two. The density of two units is permitted with the existing zoning, but there is no “IDZ” base zoning within 500’ of the subject property. Staff maintains keeping the existing “R-3” base zoning district a more appropriate choice for the neighborhood.
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 public policy. Relevant Goals and Policies of the Comprehensive Plan may include:
 - GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.

- H P30: Ensure infill development is compatible with existing neighborhoods.
- H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

Relevant Goals and Objectives of the Guadalupe Westside Community Plan may include:

- GOAL 20: HOUSING - Improve the quality, variety, and accessibility of the private and public housing stock within the Guadalupe Westside Community for individuals of all ages and economic levels.
- OBJECTIVE 20.1: DIVERSITY OF HOUSING - Promote a diverse variety of housing stock in the community that sustains all ages and economic groups.
- 20.1.1 Encourage and facilitate the development of quality, diverse housing that is compatible with the character of the neighborhood.

6. Size of Tract: The 0.0707-acre site is not of sufficient size to accommodate the proposed commercial 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. The applicant is requesting for 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.