



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 16, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**  
ZONING CASE Z-2024-10700064 CD

**SUMMARY:**  
**Current Zoning:** “R-4 AHOD Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** “R-4 CD IDZ AHOD” Residential Single-Family Infill Development Zone  
Overlay Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** April 16, 2024

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** Yesenia Regalado

**Applicant:** Webb 110 LLC

**Representative:** Ortiz McKnight, PLLC

**Location:** 110 Webb

**Legal Description:** Lot 13, Block 17, NCB 3221

**Total Acreage:** 0.1607 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 1256, dated August 3, 1944, and was originally zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District.

**Code & Permitting Details:**

There is no relevant code enforcement or 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 Dwellings

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Restaurant, Commercial uses

**Direction:** South

**Current Base Zoning:** "R-4", "I-1"

**Current Land Uses:** Single Family Dwellings

**Direction:** West

**Current Base Zoning:** "I-1"

**Current Land Uses:** Warehouse

**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.

**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:** Webb

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** South Presa Street

**Existing Character:** Minor Secondary Arterial Be=

**Proposed Changes:** None

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

**Routes Served:** 36, 242

**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:** “IDZ” as an overlay district waives the minimum parking requirement.

**Thoroughfare:** Webb

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** South Presa Street

**Existing Character:** Minor Secondary Arterial B

**Proposed Changes:** None

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

**Routes Served:** 36, 242

**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:** “IDZ” as an overlay district waives the minimum 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: 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 “CD” Conditional Use would allow for four (4) dwelling units.

The “IDZ” overlay district waives the minimum parking requirement.

**FISCAL IMPACT:**

None

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The property is not located within a Regional Center but is located within ½ a mile of the Rockport Subdivision Metro Premium Plus 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 South Central San Antonio Community Plan, adopted October 2005, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-4” base zoning district is consistent with the land use designation. However, the Conditional Use for four (4) dwelling units and “IDZ” overlay to waive parking requirements are not appropriate for the area.
- 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 not 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 current “R-4” Residential Single-Family District is appropriate zoning for the property and surrounding area. The proposed “R-4 CD IDZ” Residential Single-Family Infill Development Zone District with a Conditional Use for four (4) dwelling units is not appropriate. The proposed density is not consistent with the neighborhood and would introduce higher density that is not established in the area. The subject property is currently permitted a Duplex by Section 35-D101(j) Duplexes in former 1938 "B" Zoning District. A duplex would be more suitable for the area. The “CD” Conditional Use prescribes a site plan that will prevent expansion of the structure beyond what is being proposed. Deviation from the approved document could warrant the need for additional Council consideration. The “IDZ” overlay district to waive parking is also found to be unsuitable. Webb is a small dead end local street that branches from the busy arterial, South Presa Street. Thus, already limiting the parking options for the established residential

neighboring properties. To waive parking would further the strain on parking availability along the street.

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 objective. Relevant Goals and Policies from the Comprehensive Plan may include: - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods. - Housing Policy 30: Ensure infill development is compatible with existing neighborhoods. Relevant Goals and Policies from the South Central San Antonio Community Plan may include: - Goal 1: Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations. - Goal 2: Encourage patterns of development that provide the full range of housing choices and promote a sense of community, urban vitality, and the efficient provision of infrastructure.
  - 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.
  - 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 Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Policies from the South Central San Antonio Community Plan may include:

- Goal 1: Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations.
  - Goal 2: Encourage patterns of development that provide the full range of housing choices and promote a sense of community, urban vitality, and the efficient provision of infrastructure.
  - Objective 2 – Housing: Encourage the rehabilitation of existing homes and the construction of new housing.
6. **Size of Tract:** The subject property is 0.1607 acres, which could not reasonably accommodate four (4) dwelling units.
  7. **Other Factors:** 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 for four (4) dwelling units.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The proposal requests the use of four (4) dwelling units.

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.