



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 20, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2023-10700237

**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-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:** February 20, 2024

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

**Property Owner:** Aragon Builders

**Applicant:** Rogelio Dipp

**Representative:** Rogelio Dipp

**Location:** 1330 Montezuma Street

**Legal Description:** Lots 1 and 2, Block 2, NCB 6127

**Total Acreage:** 0.0578 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 46

**Registered Neighborhood Associations within 200 feet:** Historic Westside Residents Association and El Charro Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base, Planning Department

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned “C” Apartment District. The property was rezoned by Ordinance 75720 dated April 30, 1992, to “R-7” Small Lot Home District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned “R-7” Small Lot Home District converted to the current “R-4” Residential Single-Family District.

Code & Permitting Details:

Board of Adjustment (BOA-23-10300139) Setback, Frontage, Lot Size- May 2023 (Denied)

Certificate of Determination (ADDR-COD-23-10600213) - April 2023

Certificate of Determination (ADDR-COD-23-10600239) – May 2023

Address Verification and Assignment (ADDR-AVAA-19-10102072)- October 2019

**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-4”, “C-2”, “IDZ”

**Current Land Uses:** Residential Dwelling, Barber shop

**Direction:** South

**Current Base Zoning:** “R-4”, “C-1”, “IDZ”

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** “R-4”, “C-2”

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** “R-4”

**Current Land Uses:** Residential Dwelling, Food Service Establishment

**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:**

NA

**Transportation**

**Thoroughfare:** Montezuma Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Thoroughfare:** South Murry Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are VIA transit options within a ½ mile of the subject property.

**Routes Served:** 103, 68, 268

**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 a duplex is 1 parking space per unit.

**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-2" Medium Intensity Infill Development Zone District 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.

If approved, the "IDZ-2" base zone would permit a duplex on the property.

**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 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 Guadalupe Westside Community Plan adopted May 2007, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ-2” 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 Approval, and the Planning Commission recommendation is pending the February 14, 2024 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 aligns with the established development pattern of the surrounding area. Surrounding zoning designations include “R-4” Residential Single Family, “C-2” Commercial District, and “IDZ” Infill Development Zone District.
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-2” Medium Intensity Infill Development Zone District with uses permitted for two (2) dwelling units is also appropriate. The proposal is for two detached single-family dwelling units, which aligns with the surrounding low density residential development pattern. The site plan prescribed by the “IDZ-2” base zoning designation will regulate various development aspects such as unit layout, size, and the layout of the parking; deviation from the approved document could warrant additional City Council consideration. Furthermore, the proposal aligns with the goals of the Strategic Housing Implementation Plan (SHIP), which encourages the development of additional housing stock to accommodate the City’s growing 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 Guadalupe Westside Community Plan:
  - Objective 20.1: Diversity of Housing-Promote a diverse variety of housing stock in the community that sustains all ages and economic group
  - 20.1.1 Encourage and facilitate the development of quality, diverse housing that is compatible with the character of the neighborhood.
  - 20.2.5 Encourage the rehabilitation of abandoned housing and promote neighborhood appropriate infill housing developments on abandoned or vacant lots.
6. **Size of Tract:** The subject property is 0.0578 Acres, which can reasonably accommodate the proposed residential development.

- 7. Other Factors** The applicant intends to rezone to "IDZ-2" to develop two dwelling 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 and indicates two dwelling units on the property.

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.

If an "IDZ" zoned property abuts a single-family use or zone then the structure shall not exceed two and one-half (2.5) stories or thirty-five (35) feet in height if the structure is fifty (50) feet or less from the single-family use or zone.