



City of San Antonio

Agenda Memorandum

Agenda Date: April 02, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:
ZONING CASE Z-2023-10700357

SUMMARY:

Current Zoning: "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "R-3 MLOD-2 MLR-2 AHOD" Single-Family Residential Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 02, 2024

Case Manager: Alexa Retana, Zoning Planner

Property Owner: Salim Asis

Applicant: Global Asis

Representative: Global Asis

Location: 203 Drake Avenue

Legal Description: Lot 30, Block 19, NCB 6262

Total Acreage: 0.1492 acres

Notices Mailed

Owners of Property within 200 feet: 38

Registered Neighborhood Associations within 200 feet: Collins Garden Neighborhood Association

Applicable Agencies: Lackland Air Force Base and 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 "B" Residence District. The property was then rezoned by Ordinance 76368, dated August 27, 1992, to "R-5" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-5" Single-Family Residence District converted to the current "R-5" Residential Single-Family District.

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-5"

Current Land Uses: Single-Family

Direction: South

Current Base Zoning: "R-5"

Current Land Uses: Single-Family

Direction: East

Current Base Zoning: "R-5"

Current Land Uses: Single-Family

Direction: West

Current Base Zoning: "R-5"

Current Land Uses: Single-Family

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:

There is no special district information.

Transportation

Thoroughfare: Drake Avenue

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Marlay Street

Existing Character: Local

Proposed Changes: None known.

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

Routes Served: 51, 251

Traffic Impact: 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 “Dwelling- 2 family” is 1 space per unit. The maximum parking requirement is 2 spaces per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-5” Residential Single-Family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

Proposed Zoning: “R-3” Single-Family Residential District, 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a ½ mile of a Regional Center or 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 Nogalitos/South Zarzamora Community Plan adopted September 2004 and is currently designated as “Low-Density Residential” in the future land use component of the plan. The requested “R-3” Single-Family Residential base zoning district is consistent with the future land use designation.
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 zoning is “R-5” Residential Single-Family, some with additional dwelling units.
3. **Suitability as Presently Zoned:** The existing "R-5" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-3” Single-Family Residential is also appropriate. The applicant proposes to replat the properties into two lots with one home per lot, which is consistent with the density seen in the surrounding area. Additionally, the proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city’s growing population at all income levels.
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 of the Nogalitos/South Zarzamora Community Plan. Relevant goals include:
Goal 1: Housing
 - Objective 1.2 Diversity of Housing
 - Provide a variety of housing types that sustain all ages and economic groups.Goal 2: Community Character and the Environment
 - Objective 2.1 Neighborhood Character and Appearance
 - Protect and preserve the character of the neighborhoods and commercial corridors while improving their physical appearance.
6. **Size of Tract:** The 0.1492-acre site is of sufficient size to accommodate the proposed residential 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,

JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The property is proposed for development of a residential subdivision with lot sizes of 3,000 square feet. At 0.1492 acres, there could potentially be development of 2 lots. The applicant is proposing 2 lots with the rezoning.

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.