



City of San Antonio

Agenda Memorandum

Agenda Date: March 7, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:
ZONING CASE Z-2023-10700281

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-1 MLOD-2 MLR-2 AHOD" Limited Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for seventy-nine (79) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 19, 2023. This item was continued from the November 7, 2023 and December 5, 2023 hearings.

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Hipolito and Dolores Briones Revocable Trust

Applicant: Disruptive Enterprises LLC

Representative: Killen, Griffin, and Farrimond, PLLC

Location: 1471 and 1477 West Villaret Boulevard and 1487 East Mally Boulevard

Legal Description: the east 130 feet of the west 262.5 feet of the south 335.08 feet of Lot 337, the west 132.5 feet of the east 262.5 feet of Lot 337, and the east 131.25 feet of the north 331.88 feet of Lot 338, Block 35, NCB 11134

Total Acreage: 5.38 acres

Notices Mailed

Owners of Property within 200 feet: 14

Registered Neighborhood Associations within 200 feet: No registered Neighborhood Association within 200 feet

Applicable Agencies: Lackland Airforce Base, Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and 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 code information or permitting details for the property.

Topography: The property does not include any abnormal physical features such as slope or incursion into the floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "R-4"

Current Land Uses: Palo Alto Community College Campus

Direction: South

Current Base Zoning: "R-5"

Current Land Uses: Southside Independent School District central office

Direction: East

Current Base Zoning: "MF-33"

Current Land Uses: Vacant, Residential Dwelling

Direction: West

Current Base Zoning: "R-4", "MF-18"

Current Land Uses: Residential dwelling, Vacant

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: West Villaret Boulevard

Existing Character: Local Street

Proposed Changes: None Known

Public Transit: There are no VIA bus routes within walking distance of the subject property.

Routes Served: Not applicable.

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 multi-family residential development is 1.5 parking spaces per unit.

If approved, the IDZ-1 base zoning district would waive the parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family District permits 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-1" Limited Intensity Infill Development Zone District allows rezoning requests up to 18 units per acre and uses permitted in "C-1" and "O-1". 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-1" base zoning district would permit seventy-nine (79) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 West/Southwest Sector Plan, adopted in April 2011, and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “IDZ-1” 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.
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-1” Limited Intensity Infill Development Zone District with uses permitted for seventy-nine (79) dwelling units is also appropriate. The property is situated in an area that accommodates a mix of residential zoning designations, as well as civic amenities to include community college and a middle school. The proposal could serve the surrounding community while also offering an alternate housing type to the area. The proposal is consistent with the goals and objectives of the Strategic Housing Implementation Plan, which aims to create housing stock to accommodate the growing population of the city. Additionally, the IDZ-1 base zoning district requires a prescribed site plan that will regulate the ingress/egress and circulation of the property and the number of units permitted. Deviation from the approved site plan could potentially warrant additional Council consideration.
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 West/Southwest Sector Plan:
 - Goal HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
 - o HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood
 - o HOU-2.1 Provide multi-modal connections between new residential developments and existing community facilities
6. **Size of Tract:** The subject property is 5.38 acres, which can reasonably accommodate the proposed development.

- 7. Other Factors:** The applicant intends to rezone to “IDZ-1” Limited Infill Development Zone District to develop seventy-nine (79) 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 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.

For properties zoned “IDZ-1” that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single-family district within 50 feet of the property line.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. At 79 units over 5.38 acres, there is a proposed density of 14.6 units per acre. This density is compliant with the “IDZ-1” base zoning district, which allows for a maximum of 18 units per acre.