



City of San Antonio

Agenda Memorandum

Agenda Date: November 1, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2022-10700277

SUMMARY:

Current Zoning: "MF-33 MLOD-2 MLR-2 AHOD" Multi-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 in "C-2" Commercial District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 1, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: Marek Sieczynski

Applicant: Marek Sieczynski

Representative: Marek Sieczynski

Location: 315 Henry Street

Legal Description: Lot 30, 31, 32 & 33, Block 6, NCB 2090

Total Acreage: 0.229

Notices Mailed**Owners of Property within 200 feet:** 59**Registered Neighborhood Associations within 200 feet:** Prospect Hill and West End Hope In Action Neighborhood Association**Applicable Agencies:** Lackland Air Force Base**Property Details**

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and 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 the current "MF-33" Multi-Family District.

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:** MF-33**Current Land Uses:** Residential Dwelling**Direction:** South**Current Base Zoning:** MF-33**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** MF-33**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** MF-33**Current Land Uses:** Residential Dwelling**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: N/A

Transportation

Thoroughfare: Henry Street

Existing Character: Local

Proposed Changes: None Known

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

Routes served: 89, 289, 82, 88, 282, 288

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: The minimum parking required for a Rooming House is 1 space per room plus 2 spaces for owners.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "MF-33" Multi-Family District allows any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

Proposed Zoning: "IDZ-2" Medium Intensity Infill Development Zone 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 "C-2" Commercial uses.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within the Near Westside Regional Center and within ½ a mile from the Bandera Premium Transit Corridor and 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 not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.

2. **Adverse Impacts on Neighboring Lands:** Staff finds 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.
3. **Suitability as Presently Zoned:** The existing “MF-33” Multi-Family District is an appropriate zoning for the property and surrounding area. It allows for the property to be developed as a single-family home or up to eight (8) multifamily units allowing some additional density in the area. The proposed “IDZ-2” Medium Intensity Infill Development Zone District with uses permitted for “C-2” Commercial District is not an appropriate zoning for the property and surrounding area. The request would allow commercial creepage in a residential area and change the character of the existing neighborhood.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with any public policy objectives.
 - Maintain the character and integrity of existing San Antonio neighborhoods, parks, open space and trails by focusing growth in mixed-use regional centers and along attractive multimodal corridors with high performing transit service.
 - Ensure that all residents living in existing and new neighborhoods have safe and convenient access to jobs, housing, and a variety of amenities and basic services including great parks, strong schools, convenient shopping and nearby regional centers.
 - Ensure an inclusive San Antonio by providing affordable housing and transportation choices throughout the city.
6. **Size of Tract:** The 0.229 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The applicant is rezoning to develop a Rooming House which is permitted in the “C-2” Commercial District.

A “Rooming House” is defined as a "multi-tenant house", a "dwelling with multiple rooms rented out individually," in which the tenants share bathroom and kitchen facilities. Rooming houses are often used as housing for low-income households. Rooming houses are usually owned and operated by private landlords.

The San Antonio Unified Development Code defines a “Rooming House” as: A facility where lodging is provided for definite periods thirty (30) days or longer, for compensation, pursuant to previous arrangements. Lodging for less than thirty (30) days is classified as a different use, such as hotel or bed and breakfast, or short term rental.

The zoning request includes a request for nonresidential uses or multifamily uses adjacent (refer to definition in Appendix A as there is a different between abutting and adjacent) to an existing single family residential use, the applicant is required to construct and maintain a 6

foot solid screen fence, prior to obtaining a Certificate of Occupancy, per Section 35-514(d). The applicant can request City Council modify or exempt this requirement

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.