



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-6525

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/17/2019

**Title:** ZONING CASE # Z2018345 CD (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "R-6 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for (4) Four Residential Units on Lot 9 and Lot 10, Block 2, NCB 14355, located at 5747 McDavitt Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-01-17-0088

Date	Ver.	Action By	Action	Result
1/17/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2018345 CD

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Region 1 Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Region 1 Airport Hazard Overlay District with Conditional Use for (4) Four-Residential Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 20, 2018. This case is continued from the November 6, 2018 hearing.

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Maria J. Rangel

**Applicant:** Maria J. Rangel

**Representative:** Alejandro A. Rangel

**Location:** 5747 McDavitt Road

**Legal Description:** Lot 9 and Lot 10, Block 2, NCB 14355

**Total Acreage:** 1.0678

**Notices Mailed**

**Owners of Property within 200 feet:** 34

**Registered Neighborhood Associations within 200 feet:** Cable-Westwood Neighborhood Association

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

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned Temporary "R-1" Single-Family Residence District by Ordinance 33954, dated January 20, 1966. The property converted from Temporary "R-1" to the current "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**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-6"

**Current Land Uses:** Single-Family Residences, Vacant Lot

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Vacant Lot, Single-Family Residence

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residences

**Direction:** West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residence

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

"MLOD-2 MLR-1"

All surrounding properties carry the "MLOD-2 MLR-1" Lackland Military Lighting Overlay Military Lighting Region 1 District, due to their proximity to Lackland Air Force Base. The "MLOD-2 MLR-1" 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.

**Transportation**

**Thoroughfare:** McDavitt Road

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Del Sol Lane

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 76 and 276 are within walking distance of the property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:**

The minimum parking required for (4) four-residential units is 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “R-6” Residential Single-Family District which permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The property is not located within a Regional Center. The property is located within ½ of a mile of the Commerce-Houston Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (8-0) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the West/Southwest Sector Plan and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “R-6” base zoning district is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested rezoning is requesting in order to come into compliance with the current four-residential units on

the property.

### **3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

### **5. Public Policy:**

The subject site is located north of I-90 within SA Tomorrow’s Far West Community Plan Area. The property is improved with an existing approximately 1,540 square foot residential structure that was constructed around 1970, along with an additional detached residential structure that is approximately 550 square feet. There is also a detached garage and other detached accessory structure on the site. The site is comprised of two lots that are in total approximately 1.07 acres in size. The housing stock of the neighborhood is predominantly homes that have been constructed in the 1950s through 1970s. The current R-6 zoning of the site is consistent with the surrounding properties, which are all predominantly zoned R-6.

The property is not in an area with an adopted neighborhood plan, however it is within the Cable-Westwood registered Neighborhood Association and the entire neighborhood is within the boundaries of the adopted West/Southwest Sector Plan. The West/Southwest Sector Plan’s Land Use Plan identifies the Cable-Westwood neighborhood as “Suburban Tier”. The properties beyond the neighborhood have a designation of “Agribusiness Tier”, which generally allows for large tracts of 25 acres or greater detached single family housing significantly buffered from industrial use and agriculture and light industry businesses related to agricultural production and processing and/or livestock.

The site is also located in the study area of the SA Corridors Strategic Framework Plan, which outlines strategies to support transit through land use planning. The Framework Plan recommends a moderate density of residential development (Medium Density Residential) for the subject property as the nearby Enrique Barrera Parkway is a potential alignment for rapid transit. “R-6 CD” Residential Single-Family District with Conditional Use for Four-Residential Units is consistent with this recommendation.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.

GCF P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.

TC P30: Design commercial, residential, educational, cultural, and recreational facilities that support and provide access to and all transportation modes.

H 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.

H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.

H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

H P11: Encourage and incentivize new housing development projects to provide a mixture of housing types, sizes and prices.

H P30: Ensure infill development is compatible with existing neighborhoods.

NRES P4: Implement policies that encourage infill development and higher-density development outside environmentally sensitive areas.

M P20: Provide notifications to JBSA for review and comment on City land use applications for properties located within five miles of a military installation.

M P21: Coordinate closely with those jurisdictions, agencies, and organizations that have jurisdiction within five miles of the perimeter boundary of a military installation to encourage their policies and regulations are consistent with the City's Comprehensive Plan. Include representatives from Bexar, Comal, and Guadalupe Counties and regional municipalities when planning a regional JLUS with the military.

#### **6. Size of Tract:**

The subject properties are 1.0678 acres, which currently accommodates four-residential units.

#### **7. Other Factors:**

The purpose of the Conditional Use is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may under the right set of circumstances and conditions be acceptable in certain specific locations.

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.