



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5490

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/18/2018

**Title:** ZONING CASE # Z2018300 CD (Council District 5): Ordinance amending the Zoning District Boundary from "R-5 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Duplex to "R-5 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Triplex on west 50 feet of the south 140-feet of Lot 10, Block 4, NCB 3731, located at 325 Sims Avenue. 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 2018-10-18-0851

Date	Ver.	Action By	Action	Result
10/18/2018	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018300 CD

**SUMMARY:**

**Current Zoning:** "R-5 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Duplex

**Requested Zoning:** "R-5 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Triplex

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 18, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Alejos Briseno

**Applicant:** Alejos Briseno

**Representative:** Alejos Briseno

**Location:** 325 Sims Avenue

**Legal Description:** West 50 feet of the south 140-feet of Lot 10, Block 4, NCB 3731

**Total Acreage:** 0.1580

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The subject property was rezoned from “B” Residence District and “C” Apartment District to “R-5” SUP Single Residence District with Special Use Permit for a Duplex by Ordinance 76368, dated August 27, 1992. The property converted from “R-5” SUP to the current “R-5 CD” Single-Family Residential District with Conditional Use for a Duplex with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-5” and “RM-4”

**Current Land Uses:** Vacant Lot and Duplexes

**Direction:** East

**Current Base Zoning:** “R-5”

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

**Direction:** South

**Current Base Zoning:** “R-5”

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

**Direction:** West

**Current Base Zoning:** “R-5”

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

**Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-2" 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.

"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.

**Transportation**

**Thoroughfare:** Sims Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 46, 246

**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 requirement for a triplex is 1.5 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-5 CD”. “R-5” allows for single-family dwellings (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. The Conditional Use on the subject property also permits a Duplex.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 Nogalitos/South Zarzamora Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-5” base zoning is compatible with the future land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request does not alter the base zoning district.

**3. Suitability as Presently Zoned:**

The current “R-5 CD” Residential Single-Family District with a Conditional Use for a Duplex is an appropriate zoning for the property and surrounding area.

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Nogalitos/South Zarzamora Community Plan.

Nogalitos/South Zarzamora Community Plan Relevant Goals and Objectives:

- Goal 1 Housing - Improve the quality, appearance, and variety of existing and new housing for people of all ages while preserving the character of the neighborhoods.
  - Objective 1.1 Home Improvement and Maintenance - Encourage investment in housing rehabilitation and maintenance.
  - 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 - Preserve and enhance the walkable, neighborhood-friendly character of the neighborhoods in a way that incorporates the arts and improves 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 subject property is 0.1580 acres, which would adequately support the development of a Triplex.

## 7. Other Factors:

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

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.