



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-1598

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/20/2020

**Title:** ZONING CASE Z-2019-10700316 CD (Council District 5): Ordinance amending the Zoning District Boundary from "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "R-5 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 two (2) dwelling units on Lot 48 and Lot 49, Block 4, NCB 7490, located at 129 Dolores 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 2020-02-20-0141

Date	Ver.	Action By	Action	Result
2/20/2020	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2019-10700316 CD

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "R-5 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 two (2) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 21, 2020

**Case Manager:** Mirko Maravi, Senior Planner

**Property Owner:** Luis Daniel Valdivia

**Applicant:** Salvador Jauregui

**Representative:** Salvador Jauregui

**Location:** 129 Dolores Avenue

**Legal Description:** Lot 48 and Lot 49, Block 4, NCB 7490

**Total Acreage:** 0.13770

**Notices Mailed**

**Owners of Property within 200 feet:** 32

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

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 2590, dated September 6, 1945 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. The property was rezoned by Ordinance 98691, dated January 8, 2004 from "MF-33" Multi-Family District to the current "R-5" Residential Single-Family District.

**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-5"

**Current Land Uses:** Duplex

**Direction:** South

**Current Base Zoning:** "R-5"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "R-5"

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

**Direction:** West

**Current Base Zoning:** "R-5"

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

**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"

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

**Transportation**

**Thoroughfare:** Dolores Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 77

**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 two (2) residential units is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "R-5" Residential Single-Family District provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed "R-5 CD" allows all of the above in addition to two (2) residential dwelling units.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center or the 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 West/Southwest Sector Plan and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "R-5" 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 base zoning will remain "R-5".

**3. Suitability as Presently Zoned:**

The current “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed rezoning maintains the base zoning district. The Conditional Use allows consideration of slightly more density for two (2) residential units.

**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 West/Southwest Sector Plan:

HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.

HOU-3.1 Re-invest in existing residential neighborhoods

**6. Size of Tract:**

The subject property is 0.13770 acres, which could reasonably accommodate two (2) residential units.

**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 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.

Previous owner built additional unit in the rear as an addition. Current owner is applying to get it in compliance.