



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-3915

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 6/1/2021

**Title:** ZONING CASE Z-2021-10700099 CD (Council District 3): A request for a change in zoning from "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Noncommercial Parking Lot on 0.09 acres out of Lot 9, NCB 8623, located at 1082 Rayburn Drive. Staff recommends Approval.(Juanita Romero, Senior Planner, (210) 207-7232, [juanita.romero@sanantonio.gov](mailto:juanita.romero@sanantonio.gov), Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2021-10700099 CD

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 1, 2021

**Case Manager:** Juanita Romero, Senior Planner

**Property Owner:** Jose D Gallegos Guzman and San Juanita M Cisneros

**Applicant:** e & s Management, LLC

**Representative:** Killen, Griffin, & Farrimond, PLLC

**Location:** 1082 Rayburn Drive

**Legal Description:** 0.09 acres out of Lot 9, NCB 8623

**Total Acreage:** 0.09

**Notices Mailed**

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

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

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property was annexed by Ordinance 1391 on September 23, 1944 and zoned "L" First Manufacturing District. The subject property was rezoned by Ordinance 23507, dated September 5, 1956, from "L" First Manufacturing District to "B" Residential District. On March 17, 1977, Ordinance 47762 changed the zoning from "B" Residential District to "R-1" Single Family Residential District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single Family Residential District converted to the current "R-4" 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-4"

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

**Direction:** East

**Current Base Zoning:** "R-4"

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

**Direction:** South

**Current Base Zoning:** "C-3"

**Current Land Uses:** Commercial Retail

**Direction:** West

**Current Base Zoning:** "R-4"

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

**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:** Rayburn Drive

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** Via bus service is available in this area

**Route Served:** 51

**Traffic Impact:** Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The parking requirement for a non-commercial parking lot it is not applicable.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning district designation of "R-4" is designed to allow Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**Proposed:** The current zoning district designation of "R-4" is designed to allow Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The "CD" Conditional Use would allow for a non-commercial parking lot, pursuant to a site plan.

**FISCAL IMPACT:**

None.

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

The property is not within a Regional Center and is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 South Central Community Plan and is currently designated as "Low Density Residential" in the land use component of the plan. The requested "R-4 CD" base zoning district is consistent with the adopted 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 applicant is maintaining the existing “R-4” Residential Single-Family district.

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

The existing “R-4” Residential Single-Family base zoning district is appropriate for the surrounding area. Most of the properties in the area are zoned “R-4.” The applicant proposes to maintain the “R-4” Residential Single-Family district and proposes the “CD” Conditional Use for a Noncommercial Parking Lot to serve the abutting “C-3” General Commercial businesses. Conditional uses also allow consideration of conditions on certain uses where appropriate and tie the applicant to a required site plan.

## **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 objective of the Kelly/South San PUEBLO Community Plan, which notes the following:

Some of the guiding principles of the Master Plan Policies include:

- Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations.
- Encourage patterns of development that provide the full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.
- Encourage a balance of new development and redevelopment of target areas.
- Promote economic development and integrate environmental quality protection.
- Balance centralized and dispersed service locations to optimize the delivery of community services.

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

The 0.09 acre site is of sufficient size to accommodate the proposed non-commercial parking lot.

## **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, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this 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.

The applicant is requesting to rezone, to allow for a non-commercial parking lot to serve the abutting “C-3” General Commercial properties to the south of the site.