



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-5262

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/8/2019

**Title:** ZONING CASE Z-2019-10700120 (Council District 5): Ordinance amending the Zoning District Boundary from "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-1 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot R and the east 13.5 feet of Lot S, Block 4, NCB 3839, located at 104 Dickey. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2019-08-08-0619

Date	Ver.	Action By	Action	Result
8/8/2019	1	City Council A Session	Motion to Approve	Pass
8/8/2019	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2019-10700120

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 2, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Sandra Menaiez Montes

**Applicant:** Sandra Menaiez Montes

**Representative:** Sandra Menaez Montes

**Location:** 104 Dickey

**Legal Description:** Lot R and the east 13.5 feet of Lot S, Block 4, NCB 3839

**Total Acreage:** 0.0424

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Collins Garden Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation, Lackland Airforce Base

**Property Details**

**Property History:** The property was annexed by the City of San Antonio in 1905 and was part of the original 36 square miles of the 1936 City Limits and was originally zoned "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the properties zoned "J" Commercial District converted to the current "I-1" General Industrial 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:** "I-1"

**Current Land Uses:** Residential homes

**Direction:** South

**Current Base Zoning:** "I-1"

**Current Land Uses:** Parking lot

**Direction:** East

**Current Base Zoning:** "I-1" and "I-1"

**Current Land Uses:** Parking lot and a cafe

**Direction:** West

**Current Base Zoning:** "I-1"

**Current Land Uses:** Residential home

**Overlay and Special District Information:**

"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.

"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:** Dickey

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 51 and 251

**Traffic Impact:** A TIA cannot be determined at this time.

**Parking Information:** The minimum parking requirement for single-family residential is 1 space per resident.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "I-1". This district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines. These districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center and is not located within ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 Lone Star Community Plan and is currently designated as "Low Density Mixed Use" in the future land use component of the plan. The requested "R-1" 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 current "I-1" allows intense industrial uses. The proposed "R-1" is more compatible with the area and existing land uses.

**3. Suitability as Presently Zoned:**

The current "I-1" General Industrial District is not an appropriate zoning for the property and surrounding area. The proposed "R-1" Residential Single-Family District is appropriate and is a down zoning to a less intense zoning district.

**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 Lone Star Community Plan:

LU-6: Establish policies that provide for a range of housing types that are affordable to people at most income levels.

LU-6.1 Rezone to provide for a range of housing types including single-family detached, townhouses, senior housing, live/work units, and apartments.

**6. Size of Tract:**

The subject property is 0.0424 acres, which could reasonably accommodate a residential home.

**7. Other Factors:**

The applicant seeks to rezone the property to make the zoning designation consistent with the use of the property as a single-family home.

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.