



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8425

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 11/19/2019

**Title:** ZONING CASE Z-2019-10700261 CD (Council District 3): A request for a change in zoning from "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-6 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 two (2) residential units on Lot 20 and the west 25 feet of Lot 19, NCB 7791, located at 238 Beatrice Avenue. Staff recommends Approval. (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov; Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**  
Zoning Case Z-2019-10700261 CD

**SUMMARY:**

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

**Requested Zoning:** "R-6 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 two (2) residential units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 19, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Alfredo and Eva Gutierrez

**Applicant:** Alfredo and Eva Gutierrez

**Representative:** Alfredo and Eva Gutierrez

**Location:** 238 Beatrice Avenue

**Legal Description:** Lot 20 and the west 25 feet of Lot 19, NCB 7791

**Total Acreage:** 0.2135

**Notices Mailed**

**Owners of Property within 200 feet:** 19

**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 1391, dated September 23, 1944 and zoned "D" Apartment District. The property was rezoned by Ordinance 83932, dated April 11, 1996 from "D" Apartment District to "R-1" Single Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" Single Family Residence District converted to the current "R-6" 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-6"

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Apartment/Senior Home

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Residential

**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:** Beatrice Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 44, 243

**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 residential uses is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "R-6" 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-6 CD" allows for all above and the Conditional Use would allow the addition of two (2) residential units while maintaining the same base zoning district.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center or located within the 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 San Antonio Community Plan and is currently designated as "Low Density Residential" 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 does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The base zoning will remain the same.

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

The current "R-6" 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 density for a total of two residential units (which are already constructed onsite).

### **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 South Central San Antonio Community Plan:

Low Density Residential - The community also recognizes the varying densities historically found in low density residential areas and desires that existing multi-family housing continue with a multifamily use.

Objective 2 - Housing:

Encourage the rehabilitation of existing homes and the construction of new housing.

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

The subject property is 0.2135 acres, which could reasonably accommodate residential uses.

### **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.

Applicant is bringing the existing duplex up to zoning standard. Property was built in 1940 (per BCAD records) before being annexed into the City of San Antonio and initially zoned "D" Apartment District.