



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-6416

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 11/3/2020

**Title:** ZONING CASE Z-2020-10700215 (Council District 7): A request for a change in zoning from "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 33 and Lot 34, Block 23, NCB 7509, located at 4819 Rita Avenue. Staff recommends Approval. (Michael Pepe, Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z-2020-10700215

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-6 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:** November 3, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Angelina Hernandez

**Applicant:** Angelina Hernandez

**Location:** 4819 Rita Avenue

**Legal Description:** Lot 33 and Lot 34, Block 23, NCB 7509

**Total Acreage:** 0.18

**Notices Mailed**

**Owners of Property within 200 feet:** 35

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

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject property was annexed by Ordinance 2590 dated September 6, 1945 and was originally zoned "F" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "F" Local Retail District converted to the "C-2" Commercial 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:** "C-2"

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

**Direction:** South

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

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

**Direction:** East

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

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

**Direction:** West

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

**Current Land Uses:** Single-Family 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. 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:** Rita

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 82, 282

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required for this project. The proposed use does not exceed the minimum threshold requirements.

**Parking Information:** The parking minimum for a single-family home is one space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** C-2 districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining

**Proposed:** R-6 districts allow a Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**FISCAL IMPACT:** None.

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

The subject property is not within a regional center but it is not 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 West Sector Plan and is currently designated as “General Urban Tier” 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 proposed “R-6” reduces potential adverse impacts by limiting the permitted uses currently allowed in the current “C-2” Commercial District.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential District is not an appropriate zoning for the property and surrounding area. The requested “R-6” is more appropriate and would allow the tract to be developed as a home. The surrounding parcels and the remainder of the block are all residential and were developed when the “C-2” Commercial District allowed the development of single-family homes.

**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 Sector Plan:

ED-2.4 Consider rezoning corridors and nodes to permit the mix of uses

LU-6.5 Incentivize infill development in urban and suburban areas to lessen development pressure on agricultural areas

**6. Size of Tract:**

The subject property is 0.18 acres, which could reasonably accommodate residential uses.

**7. Other Factors:**

The subject property is located within the Lackland Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant wants to build a single-family home on the site.