City of San Antonio

Agenda Memorandum

File Number: 19-7937

Agenda Item Number: Z-19.

Agenda Date: 11/7/2019

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 5

SUBJECT:
Zoning Case Z-2019-10700214

SUMMARY:
Current Zoning: "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "R-6 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) duplex units

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: October 1, 2019

Case Manager: Dominic Silva, Senior Planner

Property Owner: Eddie Saenz

Applicant: Raquel Moreno, NRN Homes

Representative: Raquel Moreno, NRN Homes

Location: 822 Darby Boulevard and 824 Darby Boulevard

Legal Description: Lot 40 and Lot 39, Block 1, NCB 8116

Total Acreage: .44 (.22 acres per lot)

Notices Mailed
Owners of Property within 200 feet: 25

Registered Neighborhood Associations within 200 feet: Thompson Neighborhood Association
Applicable Agencies: Lackland AFB

Property Details

Property History: The subject properties were originally zoned "B" Residence District. The property was rezoned from "B" Residence District to "R-1" One Family Residence District by Ordinance 63541 dated August 28, 1986. The property converted to the current "R-6" Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

Topography: The subject property is not located within the 100-year flood plain.

Adjacent Base Zoning and Land Uses

Direction: North
Current Base Zoning: "R-6"
Current Land Uses: Residential

Direction: East
Current Base Zoning: "R-6"
Current Land Uses: Residential

Direction: South
Current Base Zoning: "R-6"
Current Land Uses: Residential

Direction: West
Current Base Zoning: "R-6"
Current Land Uses: Residential

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: Darby Boulevard
Existing Character: Local
Proposed Changes: None Known
Public Transit: There are VIA bus routes are within walking distance of the subject property.
Routes served: 62, 251

Traffic Impact: A Traffic Impact Analysis (TIA) is required.

Parking Information:
1 space per unit.

ISSUE:
None.

ALTERNATIVES:
Current: The present zoning district designation of "R-6" Residential Single-Family District provides areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

Proposed: The proposed "R-6 CD" allows all of the above in addition to a duplex on each lot.

FISCAL IMPACT:
None.

Proximity to Regional Center/Premium Transit Corridor
The subject property is located within the Port San Antonio Regional Center and within ½ a mile of a Premium Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff and Zoning Commission (8-0) recommend Denial.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on the approval criteria below.

1. Consistency:
The property is located within the Kelly/South San PUEBLO 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 adopted land use designation.

2. Adverse Impacts on Neighboring Lands:
Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested "R-6 CD" introduces additional density in the form of two (2) sets of duplex developments not already established in the area.

3. Suitability as Presently Zoned:
The current "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. Although the requested "R-6 CD" maintains the base residential district the Conditional Use allows consideration of two (2) separate duplex units and additional density not already established in the neighborhood. If the property is owner occupied a primary dwelling and an accessory dwelling unit would be permitted with proper permitting.

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 rezoning request does not appear to conflict with the land use goals and strategies of the Kelly/South San PUEBLO Community Plan.

- Goal 1.1: Encourage investment in housing rehabilitation and maintenance.
- Goal 1.2: Provide a variety of housing types that sustain all ages and economic groups.
- Goal 1.3: Promote homeownership.

6. Size of Tract:
The subject property of Lot 40 and Lot 39 totals .44 acres/.22 acres per lot, would accommodate the development but would be out of scope with other single-family developments within the block.

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, JBSA was notified of the proposed request.