



# City of San Antonio

## Agenda Memorandum

**File Number:**20-3667

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**Agenda Item Number:** Z-20.

**Agenda Date:** 8/6/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z-2020-10700024 CD

**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 four (4) dwelling units.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 2, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Carlos Flores & Ursula Flores

**Applicant:** Carlos Flores & Ursula Flores

**Representative:** Carlos Flores & Ursula Flores

**Location:** 1027 SW 39<sup>th</sup> Street, San Antonio, TX 78237

**Legal Description:** the south 101.6 feet of Lot 22, Block 17, NCB 8991

**Total Acreage:** 0.7798

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** Los Jardines Neighborhood Association

**Applicable Agencies:** Lackland

### **Property Details**

**Property History:** The property was annexed on October 12, 1944 by Ordinance 1448 and was originally zoned "R-1" Single Family Residence District. The previous zoning district converted to "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001.

**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 CD"

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

**Direction:** East

**Current Base Zoning:** "R-6," "C-2," "C-2NA," "C-3NA,"

**Current Land Uses:** Church

**Direction:** South

**Current Base Zoning:** "R-6", "C-1", "I-1"

**Current Land Uses:** Single-Family Residence, Storage Warehouse

**Direction:** West

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

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

### **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:** SW 39<sup>th</sup> Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Serviced:** 75

**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 parking requirements for two- family dwellings are 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “R-6” Residential Single-Family are designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is 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. The Conditional Use would allow for four (4) dwelling units on the property.

**Proposed:** The proposed zoning designation of “R-6 CD” accommodates the same uses noted above and the proposed Conditional Use would allow for four (4) dwelling units on the property.

**FISCAL IMPACT:**

None.

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

The property is not part of a Regional Center and it is not within 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 West/Southwest Sector Plan with “Suburban Tier” designation in the 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 does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The base zoning of “R-6” will remain the same.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District is an appropriate zoning for the property. The proposed “R-6 CD” Residential Single-Family District use maintains the base zoning district and is an appropriate zoning for this property as it is directly adjacent to other “R-6” zoned properties. The Conditional Use allows consideration for two duplex homes on the property, for a total of four (4) dwelling units.

**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/Southwest Sector Plan:

- Goal HOU- 1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
  - HOU- 1.1: Promote quality design and construction for new housing
  - HOU- 1.2: Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.
- Goal HOU- 2: New housing developments locate near existing community facilities, schools, and physical infrastructure (e.g., streets, water, sewer, etc.) with sufficient capacity to serve new developments
  - HOU- 2.4: Promote awareness of the benefit of locating new housing near existing community facilities and physical infrastructure
- Goal HOU- 3: Housing is well maintained to help ensure the long-term viability of neighborhoods
  - HOU- 3.1: Re-invest in existing residential neighborhoods

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

The subject property is 0.7798 acres, which could reasonably accommodate the proposed Conditional Uses of four (4) dwelling units.

### **7. Other Factors:**

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 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 is no objection to the request.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.