



# City of San Antonio

## Agenda Memorandum

**File Number:**21-2601

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**Agenda Item Number:** 17.

**Agenda Date:** 4/6/2021

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2021-10700028 CD

**SUMMARY:**

**Current 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 a Conditional Use for two (2) dwelling units

**Requested Zoning:** "RM-5 MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 0.125 acres and 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 a Conditional Use for two (2) dwelling units on 0.196 acres

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 6, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Miguel Cervantes

**Applicant:** Miguel Cervantes

**Representative:** Miguel & Adrienne Cervantes

**Location:** 336 Drury Lane

**Legal Description:** Lot 1 and Lot 2, Block 327, NCB 9409

**Total Acreage:** 0.321

## **Notices Mailed**

**Owners of Property within 200 feet:** 29

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

**Applicable Agencies:** Lackland

## **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 4745, dated March 7, 1947 and was originally zoned "C" Apartment District. The property was rezoned by Ordinance 66677, dated February 25, 1988 from "C" Apartment District to "R-1" S.U.P One Family Residence District Special Use Permit for a Duplex. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "R-1" One- Family Residence District Special Use Permit for a Duplex converted to the current "R-6 CD" Residential Single-Family District with a Conditional Use for Two (2) Dwelling Units.

**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", "R-6 CD" For Two (2) Dwelling Units

**Current Land Uses:** Residential

**Direction:** South

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

**Current Land Uses:** Residential

**Direction:** East

**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:** Drury Lane

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Mango 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 single-family dwelling is 1 space per unit.

**ISSUE:**  
None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "R-6 CD" allows for two-dwelling units (attached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet.

**Proposed:** The property owner would like to replat the existing lot into two lots, one addressed off Drury Lane and one addressed off Mango Avenue. The proposed zoning requests will result in a separate zoning district for each new lot.

The zoning request for the lot addressed off Drury Lane (front lot) is for "RM-5" Residential Mixed District, which allows a Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 5,000 square feet and a minimum lot width of 15 feet, foster family home, public and private schools. The applicant has chosen this zoning designation to accommodate a setback discrepancy from the existing home on the front lot in reference to the existing fence on the lot.

The zoning request for the lot to be addressed off Mango Avenue (rear lot) is for "R-6 CD" Residential Single-Family District with a Conditional Use for Two (2) Dwelling Units. The "R-6" District allows for a Single-Family dwelling with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet. The requested Conditional Use would be for Two (2) Dwelling Units.

**FISCAL IMPACT:**  
None.

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

The subject property is not within a Regional Center and not located within a 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 West Sector Plan and is designated “General Urban Tier”. The requested “RM-5” and “R-6 CD” zoning is consistent with the future land use.

### **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 use of the property will remain residential.

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

The current “R-6 CD” Residential Single-Family District with a Conditional Use for two (2) Dwelling units is an appropriate zoning for the property and surrounding area. The current structure as well as other properties in the area are zoned for two (2) dwelling units; this is proposed to remain “R-6 CD”. The other part of the request is for “RM-5” Mixed Residential which is also appropriate for the existing structure on the property, as there is a fence that is not in compliance with rear setback regulations. The rezoning to “RM-5” would allow for a 10-foot rear setback, making the existing fence in compliance.

### **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:

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-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 0.321 acres, which reasonably accommodates the request for mixed residential use.

### **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. The Military has indicated that there are no objections to the request.

The property owner intends to replat the property to allow for an additional duplex on the rear portion of the lot, to be addressed of Mango Avenue.