City of San Antonio

Agenda Memorandum

File Number:21-4255

Agenda Item Number: Z-13.

Agenda Date: 6/17/2021

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 6

SUBJECT:
Zoning Case Z-2021-10700078

SUMMARY:
Current Zoning: "C-1 MLOD-2 MLR-1 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "RM-6 MLOD-2 MLR-1 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: May 18, 2021

Case Manager: Justin Malone, Planner

Property Owner: Jose Torres

Applicant: Rodolfo (Rudy) Torres

Representative: Rodolfo (Rudy) Torres

Location: 5612 Monterey Street

Legal Description: Lot 65, NCB 8239

Total Acreage: 0.9229

Notices Mailed
Owners of Property within 200 feet: 29
Registered Neighborhood Associations within 200 feet: Los Jardines Neighborhood Association, Las

Palmas Neighborhood Association
Applicable Agencies: Lackland

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 1258, dated August 2, 1944 and was originally zoned "J" Commercial District. The property was rezoned from "J" Commercial District to "B-3 R" Business District, Restrictive Alcohol Sales by Ordinance 72,510, dated October 18, 1990. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "B-3 R" Business District, Restrictive Alcohol Sales converted to "C-3 R" General Commercial Restrictive Alcohol Sales District. The property was rezoned from "C-3 R" General Commercial Restrictive Alcohol Sales District to "C-1" Light Commercial District by Ordinance 2011-05-05-0362, dated May 5, 2011.

Topography: The subject 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-1", "C-1 CD", "C-2NA"
Current Land Uses: Restaurant, Auto Mechanic, Distribution Center

Direction: South
Current Base Zoning: "MF-33"
Current Land Uses: Multifamily Residential

Direction: East
Current Base Zoning: "C-1", "C-2NA"
Current Land Uses: Vacant Lot, Church, Restaurant

Direction: West
Current Base Zoning: "R-4", "R-6"
Current Land Uses: Single Family Residential

Overlay and Special District Information:

"MLOD-2"
The "MLOD-2" Lackland Military Lighting Overlay District 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: Monterey Street
Existing Character: Local
Proposed Changes: None Known

Thoroughfare: South San Joaqin Avenue
Existing Character: Local

Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.
Routes Served: 75, 76, 276

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 a single-family dwelling is 1 space per unit.

ISSUE:
None.

ALTERNATIVES:
Current: The existing "C-1" Light Commercial District allows for neighborhood commercial uses which depend on a greater volume of vehicular traffic than an "NC" Neighborhood Commercial District. "C-1" uses are considered appropriate buffers between residential uses and "C-2" and "C-3" Commercial districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses include retail furniture sales, grocery store, retail office equipment and supply, and retail rug or carpet sales. No outside storage or display of goods shall be permitted except for outdoor dining.

Proposed: The proposed "RM-6" Single-family dwelling (detached, attached or townhouse), two-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 6,000 square feet and a minimum lot width of 15 feet, foster family home, public and private schools.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The subject property is not located within a Regional Center but is located within a Premium Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff and Zoning Commission (11-0) 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 and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "RM-6" base zoning district is consistent with the future land use designation and the surrounding single-family parcels.

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. There is a mix of zoning designations in the area "C-1" Light Commercial, "C-2" Commercial, "R-4" Residential Single-Family, "MF-33" Multi-Family, and "R-6" Residential Single-Family. The proposed residential mixed zoning of "RM-6" is appropriate for the area.

3. Suitability as Presently Zoned:
The current "C-1" District is an appropriate zoning for the property. The proposed "RM-6" Residential Mixed

District is consistent with the neighborhood use, lot size, and location of the property. The proposed "RM-6" Residential Mixed District also limits the property to the development of up to two (2) residential 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
- HOU-1.4 Encourage quality housing for senior citizens

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-2.1 Provide multi-modal connections between new residential developments and existing community facilities
- HOU-2.4 Promote awareness of the benefits 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 0.9299 acres, which could reasonably accommodate one or two dwelling units.

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 this request.

The applicant intends to change the zoning from light commercial to residential in order to build one or two dwelling units on the vacant lot.