



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 16, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2022-10700097 CD

**SUMMARY:**

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

**Requested 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 Conditional Use for four (4) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2022

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** Charles Talbert

**Applicant:** Charles Talbert

**Representative:** Charles Talbert

**Location:** 239 Northwest 34th Street

**Legal Description:** The northern 133.5 feet of Lot 20, Block 1, NCB 8251

**Total Acreage:** 0.930

**Notices Mailed****Owners of Property within 200 feet:** 31**Registered Neighborhood Associations within 200 feet:** Memorial Heights Neighborhood Association**Applicable Agencies:** Lackland Air Force Base**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 2590, dated September 5, 1945 and zoned "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District converted to "MF-33" Multi-Family District. The property was rezoned by Ordinance 98010, dated August 14, 2003 to the current "R-6" Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** R-6**Current Land Uses:** Vacant**Direction:** South**Current Base Zoning:** R-6**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** R-6 and R-6 CD**Current Land Uses:** Residential Dwelling and 12 Unit Residential Complex**Direction:** West**Current Base Zoning:** R-6**Current Land Uses:** Residential Dwelling**Overlay District Information:**

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. The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:** N/A.**Transportation**

**Thoroughfare:** NW 34th Street  
**Existing Character:** Collector  
**Proposed Changes:** None Known

**Public Transit:** There is public transit within 0.5 miles of the subject property.  
**Routes Served:** 77

**Traffic Impact:** The Traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502 A TIA Report is Not Required.

**Parking Information:** The minimum parking for 4 Family Dwelling Units with Cluster Parking Allowed is 1.5 spaces per unit.

**ISSUE:**  
None.

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family allows dwellings (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.

Proposed Zoning: “R-6 CD” Residential Single-Family allows dwellings (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.

The “CD” Conditional Use will allow for four (4) dwelling units.

**FISCAL IMPACT:**  
None.

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

Subject property is not located in a Regional Center but is within ½ a mile from the Commerce-Houston Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on 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 “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 use is consistent with the established development pattern of the surrounding area. Surrounding properties are zoned “R-6” Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” Residential Single-Family District with Conditional Use for four (4) dwelling units adds more density to the area at an appropriate level that allows for a mix of housing types in an area is primarily developed as 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 request does/does not appear to conflict with any public policy 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
  - o 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
6. **Size of Tract:** The 0.930 acre site is of sufficient size to accommodate the proposed “R-6 CD” development.
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 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 applicant is rezoning to develop a four (4) dwelling units. The property has an existing Non-Conforming Use on file from January 3, 2005 allowing three (3) residential dwelling units. The applicant intends to have 4 dwelling units, 2 already constructed and remodeled, 2 new buildings, and one already existing accessory structure.

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.